

HOT AIR BALLOONS

I love to see the balloons flying over our beautiful city. I've never tired of watching them glide thru the sky in the 21 years I've lived here. What concerns me is an incident that happened last week on May 28 at 7:43am. We heard the sound of a balloon very close to the house and went out on the front patio to look. The balloon was 10 feet or less above the roof of our home. He was traveling west and put down at the foot of the hill on Medical Center Dr. directly below us. He may have been descending in anticipation of this landing but I believe he was too close to our roof. I've done some reading in the Balloon Flying Handbook, FAA-H-8083-11A. The rules are complicated but it appears he should be 1,000 feet above the highest obstacle within a 2,000 ft. radius above a congested area. Reliable information on this subject would be appreciated.

Sandra Vavrek
606 S Five Sisters Dr.
St. George, UT 84790
435-632-6305

Section 7-9, 7-10

In summary, regulations require:

1. Flying high enough to be safe if a problem occurs;
2. 1,000 feet above the highest obstacle within a 2,000-foot radius above a congested area; and
3. An altitude of 500 feet above the surface, except over open water or sparsely populated areas.

In those cases, the balloon may not be operated closer than 500 feet to any person, vessel, vehicle, or structure. This is an easy to understand regulation that requires compliance from all pilots.

14 CFR part 91, section 91.119(b) concerns flying over congested areas, such as settlements, towns, cities, and gatherings of people. There is no standard definition of “congested area” or “open air assembly of persons” but case law has indicated that a subdivision or homes, constitute a congested area, as does a small rural town.

A balloon pilot must stay 1,000 feet above the highest obstacle within a 2,000-foot radius of the balloon. This is a straightforward regulation and easy to understand. Note that the highest obstacle is probably an antenna, tower, or some other tall object, not the rooftops. Two thousand feet is almost one-half mile. This portion of the regulation is often forgotten or ignored. *[Figure 7-8]*

14 CFR part 91, section 91.119(c) refers to two area types: sparsely populated and unpopulated. Here, the pilot must stay at least 500 feet away from persons, vehicles, vessels, and structures. “Away from” is the key to understanding this rule. The regulation specifies how high above the ground the pilot must be and also states the pilot may never operate closer than 500 feet. There exists a possibility for misunderstanding in interpreting the difference between congested and other than congested, as neither of these terms are defined by the FAA regulations. As an example, operating below 1,000 feet AGL within 2,000 feet of a congested area is in violation of 14 CFR part 91, section 91.119(b), even though the bordering area may be used only for agricultural purposes. Therefore, when flying over unpopulated land near a housing tract, the balloon must fly either above 1,000 feet AGL or be 2,000 feet away from the houses.

Hot Air Balloon Issues over St. George, Utah

We live on Foremaster Ridge North, overlooking Dixie Regional Medical Center, River Road Complex. We have had several issues with hot air balloons attempting to either land on our Cul-de-sac, or the vacant lots directly south and west of us. Several years ago, (in 2009) a balloon attempted a landing in our Cul-de-sac, was caught by the perpetual air currents that we have on the ridge, and ended up dragging the passenger bucket up our driveway, and almost hit the corner of our house before the pilot was able to gain some altitude. The second incident occurred April 1st, 2011, again, attempting to land in the Cul-de-sac, the winds carried the balloon within 5 feet of our home. The balloon wasn't any more than 5 feet off the ground. The pilot increased the elevation of the balloon and then went over the ridge and ended up landing in the dirt lot just north of the DRMC Health and Performance Parking lot. This is adjacent to the DRMC Life Flight Heliport. We called the SGPD and filed a report concerning the balloon pilot flying way too close to a private home, and were told that an officer would respond.

Officer Shawn Bailey, SGPD, responded to the site where the balloon landed and my wife drove down there to meet with him. The balloon pilot said that there was no law on the books that would prevent him from flying his balloon anytime or anywhere that he wanted to. Officer Bailey stated that that was correct and if my wife wanted to pursue this matter any further, she needed to take it up with the City Council.

(As an aside, just 4 weeks prior to this incident, a balloon operator blew up his garage and house due to improper storage of propane fuel. See the attached article that was posted on the FOX 13 Now St. George website.)

The most recent incident was brought to our attention via The Spectrum Newspaper on June 5th, 2015. Ms. Sandra Vavrek reported that on May 28th at 7:43 am, a hot air balloon passed within 10 feet of her house. The balloon then proceeded to land below Foremaster Ridge on Medical Center Drive. (Please see

the attached sheet with her letter to the editor.) As Ms. Vavrek stated in her letter to the editor, the FAA has published the Balloon Flying Handbook listing all the rules of balloon flying etiquette. I would attach the handbook to this letter however it is 252 pages long! For your convenience, you can either google "FAA-H-8083-11A" or go to the FAA.GOV link below.

https://www.faa.gov/regulations_policies/handbooks_manuals/aircraft/media/FAA-H-8083-11.pdf

To summarize, our primary concerns are:

1. Potential loss of property and lives due to negligence on the part of the balloon operator, and/or unpredictable high winds in the Foremaster Ridge/East Ridge area.
2. DRMC Life Flight Helicopter activities have increased exponentially since the service was formally activated. These balloons are slow and could very well interfere with a helicopter either landing or taking off. We would like to see that the entire area around the hospital and the normal flight patterns be declared a "NO-FLY ZONE" concerning hot air balloons, drones, ultra-lights, and powered parachutes.
3. Due to the increased residential and commercial density of our beautiful city any hot air balloon operated within the city of St. George must be regulated and "NO-FLY ZONES" must be created and enforced.

Thank you,

William and Catherine Fulton

1779 E 790 South Circle
St. George, Utah 84790-4026
435-656-3245


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Hot air balloon business damaged in fire



Submitted by [Brittany Green \(/profile/48052/brittany-green\)](#), Fox 13 Web Content Producer

Topics: [Saturday, February 26th, 3:29 PM](#)

0 33

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An explosive fire destroyed a garage and damaged a home in St. George Friday night.

The fire began just before 10 p.m. in a garage where Palledin Balloon Excursion owner Bill Howes stores balloons and propane tanks. Flames in the garage caused several propane tanks in and near the garage to explode.

That explosion ignited siding on the man's house, but firefighters put it out quickly. One person escaped the house without injury.

Damage is estimated at \$125,000.

A nearby resident was able to catch the explosion on-camera. It is available on [www.youtube.com](http://www.youtube.com/watch?v=JbGfX2pblmQ) (<http://www.youtube.com/watch?v=JbGfX2pblmQ>).



Video courtesy Clint Bouck.

Topics: [News \(/category/story-categories/news\)](#)

[Share with friends](#)

Follow the rules of hot air ballooning

I love to see the balloons flying over our beautiful city. I've never tired of watching them glide thru the sky in the 21 years I've lived here. What concerns me is an incident that happened last week on May 28 at 7:43 a.m. We heard the sound of a balloon very close to the house and went out on the front patio to look. The balloon was 10 feet or less above the roof of our home. He was traveling west and put down at the foot of the hill on Medical Center Dr. below us.

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Sandra Vavrek

ST. GEORGE

DRAFTAgenda Item Number : **2A**

Request For Council Action

Date Submitted 2015-06-30 16:56:13

Applicant C. Hood

Quick Title Bid Award

Subject Palmer IV/Prelude IV Rye Grass Purchase

Discussion This is for the annual purchase of Rye grass (Palmer IV/Prelude IV) for the City golf courses and ball fields. Total of 69 tons.

Cost \$152,760.00

City Manager Recommendation Annual order for grass seed for the overseeding of golf courses and parks. Same price that was quoted last year. Recommend approval.

Action Taken

Requested by Steve Larsen

File Attachments

Approved by Legal Department?

Approved in Budget? **Amount:**

Additional Comments Helena was the low bidder with a per ton price of \$ 2280.00. Price is the same as quoted last year. See attached bid summary for comparison

Bid Inquiry # 15-0036 Rye Grass Bid

Items	Helena Chemical	Turfco
Palmer III/ Prelude III		
Rye Grass Seed	\$2280.00 per ton	\$ 2320.00 per ton
100% Weed Seed Free		
69 tons (TOTAL)	\$152,760.00	\$155,440

DRAFTAgenda Item Number : **2B**

Request For Council Action

Date Submitted 2015-06-29 14:12:18**Applicant** Jay Sandberg**Quick Title** Bid Award - Sand Hollow Wash Channel Repair**Subject** Consider approval to award a Contract to Feller Enterprises, Inc. for the construction of improvements along Sand Hollow Wash**Discussion** The 2012 flood along Sand Hollow Wash damaged concrete panels, damaged riprap, and eroded the bank for over 1000 feet. This project completes repairs to this area, and extends the repairs another 1500 feet downstream to improve the drainage and restore the channel to a more natural and manageable condition. Bid Schedule C includes improvements near 2000 North to stabilize banks and provide erosion protection in the vicinity of Racing Ranch Subdivision.**Cost** \$492,173.90**City Manager Recommendation** Recommend approval**Action Taken****Requested by** Cameron Cutler**File Attachments** [Sand Hollow Wash City Council Agenda Award Exhibit.pdf](#)**Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments** Funding sources include \$89,733 from FEMA, and \$215,753 from Washington County Flood Control Authority. The remainder comes from budgeted City Utility Drainage.**Attachments** [Sand Hollow Wash City Council Agenda Award Exhibit.pdf](#)

Final Bid Tab 6/18/2015

Sand Hollow Wash Retoration Project
INQUIRY # 15-0034

BID SCHEDULE A

No.	Item	Unit	Estimated Quantity	Feller Enterprises		Progressive Contracting		JP Excavating		Interstate Rock		Gorran LLC		Meadow Valley	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	1 Mobilization	Lump	1	\$4,000.00	\$4,000.00	\$18,000.00	\$18,000.00	\$30,000.00	\$30,000.00	\$22,360.00	\$22,360.00	\$16,565.00	\$16,565.00	\$92,400.00	\$92,400.00
2	2 Traffic Control & Site Access - Hafen Lane	Lump	1	\$2,500.00	\$2,500.00	\$2,464.00	\$2,464.00	\$15,000.00	\$15,000.00	\$12,060.00	\$12,060.00	\$25,000.00	\$25,000.00	\$5,600.00	\$5,600.00
3	3 Clear & Grub	Acres	0.8	\$3,000.00	\$2,400.00	\$2,000.00	\$2,400.00	\$5,500.00	\$4,400.00	\$3,225.00	\$2,580.00	\$42,201.90	\$42,201.90	\$4,720.00	\$3,760.00
4	4 Haul Road	Ln Ft	520	\$1.50	\$780.00	\$3.64	\$1,892.80	\$2.50	\$1,300.00	\$1.00	\$520.00	\$1.96	\$1,027.20	\$6.00	\$3,120.00
5	5 Wash Crossing	Each	1	\$1,500.00	\$1,500.00	\$2,464.00	\$2,464.00	\$2,400.00	\$2,400.00	\$2,620.00	\$2,620.00	\$4,749.62	\$4,749.62	\$5,350.00	\$5,350.00
6	6 Wash Diversion	Ln Ft	710	\$2.00	\$1,420.00	\$4.48	\$3,180.80	\$2.00	\$1,420.00	\$4.00	\$2,840.00	\$8.12	\$5,765.20	\$16.50	\$11,715.00
7	7 Demolish & Remove Existing Concrete Channel	Sq Ft	28,000	\$0.30	\$8,400.00	\$2.24	\$62,720.00	\$0.50	\$14,000.00	\$1.05	\$29,400.00	\$1.31	\$36,680.00	\$2.20	\$61,600.00
8	8 Demolish & Remove Existing Concrete Bridge	Lump	1	\$1,000.00	\$1,000.00	\$3,584.00	\$3,584.00	\$2,500.00	\$2,500.00	\$1,140.00	\$1,140.00	\$11,290.15	\$11,290.15	\$5,560.00	\$5,560.00
9	9 12" Rock Riprap - d50 = 24"	Sq Ft	39,574	\$5.10	\$2,018,274.00	\$4.58	\$1,808,359.20	\$4.25	\$1,674,465.00	\$7.60	\$3,016,485.50	\$6.01	\$2,378,937.74	\$8.50	\$3,367,799.00
10	10 Rock Riprap - d50 = 24"	Cu Yd	1,380	\$10.00	\$13,800.00	\$12.63	\$17,429.40	\$7.00	\$9,660.00	\$12.60	\$17,388.00	\$7.67	\$10,584.60	\$8.50	\$11,730.00
11	11 Extend 30" Poly Stormdrain	Ln Ft	93	\$45.00	\$4,185.00	\$103.58	\$9,729.54	\$60.00	\$5,580.00	\$49.80	\$4,631.40	\$92.76	\$8,580.18	\$55.50	\$5,161.50
Bid Schedule A Total					\$231,826.40		\$370,637.30		\$408,367.50		\$383,415.90		\$393,855.67		\$539,418.50

BID SCHEDULE B

No.	Item	Unit	Estimated Quantity	Feller Enterprises		Progressive Contracting		JP Excavating		Interstate Rock		Gorran LLC		Meadow Valley	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	1 Mobilization	Lump	1	\$5,000.00	\$5,000.00	\$10,080.00	\$10,080.00	\$30,000.00	\$30,000.00	\$17,375.00	\$17,375.00	\$4,500.00	\$4,500.00	\$43,000.00	\$43,000.00
2	2 Clear & Grub	Acres	6.2	\$3,000.00	\$18,600.00	\$784.00	\$4,860.80	\$1,200.00	\$7,440.00	\$1,250.00	\$7,750.00	\$1,196.65	\$7,419.23	\$1,560.00	\$9,672.00
3	3 Wash Diversion	Ln Ft	1,715	\$2.00	\$3,430.00	\$3.64	\$6,242.60	\$2.00	\$3,430.00	\$4.00	\$6,860.00	\$4.79	\$8,214.85	\$4.20	\$7,203.00
4	4 Haul Road	Ln Ft	65	\$15.00	\$975.00	\$4.48	\$291.20	\$1.00	\$65.00	\$1.40	\$91.00	\$2.97	\$1,931.05	\$3.80	\$2,470.00
5	5 Wash Crossing	Each	1	\$1,500.00	\$1,500.00	\$4,000.00	\$4,000.00	\$3,500.00	\$3,500.00	\$4,000.00	\$4,000.00	\$6,418.90	\$6,418.90	\$14,000.00	\$14,000.00
6	6 Wash Diversion	Ln Ft	21,294	\$3.50	\$74,529.00	\$2.87	\$61,113.78	\$2.90	\$61,752.60	\$4.17	\$88,795.98	\$2.31	\$49,189.14	\$3.60	\$76,658.40
7	7 Earthwork - Onsite Fill Compacted in Place	Cu Yd	25,263	\$3.50	\$88,420.50	\$2.02	\$51,031.26	\$8.00	\$202,104.00	\$9.49	\$239,745.87	\$11.06	\$279,408.78	\$11.00	\$277,893.40
8	8 Earthwork - Excavate & Haul Offsite	Cu Yd	1,380	\$10.00	\$13,800.00	\$12.63	\$17,429.40	\$7.00	\$9,660.00	\$12.60	\$17,388.00	\$7.67	\$10,584.60	\$8.50	\$11,730.00
9	9 Cottonwood and Willow Stems	Each	500	\$6.00	\$3,000.00	\$12.04	\$6,020.00	\$6.50	\$3,250.00	\$11.85	\$5,925.00	\$10.75	\$5,375.00	\$12.00	\$6,000.00
Bid Schedule B Total					\$209,253.50		\$363,069.81		\$321,201.60		\$388,645.85		\$372,603.55		\$446,393.40

BID SCHEDULE C

No.	Item	Unit	Estimated Quantity	Feller Enterprises		Progressive Contracting		JP Excavating		Interstate Rock		Gorran LLC		Meadow Valley	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	1 Mobilization	Lump	1	\$3,500.00	\$3,500.00	\$3,584.00	\$3,584.00	\$3,000.00	\$3,000.00	\$6,370.00	\$6,370.00	\$4,000.00	\$4,000.00	\$38,700.00	\$38,700.00
2	2 Traffic Control & Site Access - 2000 North	Lump	1	\$1,000.00	\$1,000.00	\$2,576.00	\$2,576.00	\$2,000.00	\$2,000.00	\$3,370.00	\$3,370.00	\$2,500.00	\$2,500.00	\$5,600.00	\$5,600.00
3	3 Clear & Grub	Acres	0.4	\$3,000.00	\$1,200.00	\$2,000.00	\$1,200.00	\$5,000.00	\$4,000.00	\$1,540.00	\$1,540.00	\$3,371.00	\$1,540.00	\$4,420.00	\$1,768.00
4	4 Haul Road	Ln Ft	650	\$1.50	\$975.00	\$3.64	\$2,366.00	\$2.00	\$1,300.00	\$1.00	\$650.00	\$1.56	\$1,014.00	\$3.70	\$2,405.00
5	5 Wash Crossing	Each	1	\$1,500.00	\$1,500.00	\$1,344.00	\$1,344.00	\$2,400.00	\$2,400.00	\$2,510.00	\$2,510.00	\$5,049.62	\$5,049.62	\$5,350.00	\$5,350.00
6	6 Wash Diversion	Ln Ft	270	\$2.00	\$540.00	\$4.48	\$1,209.60	\$2.00	\$540.00	\$4.00	\$1,080.00	\$4.85	\$2,389.50	\$16.50	\$4,455.00
7	7 Rock Riprap - d50 = 24"	Cu Yd	410	\$26.00	\$10,660.00	\$33.96	\$13,923.60	\$39.00	\$15,990.00	\$45.70	\$18,737.00	\$40.52	\$16,613.20	\$37.50	\$23,575.00
8	8 Cottonwood and Willow Stems	Each	58	\$6.00	\$348.00	\$12.04	\$698.32	\$6.50	\$377.00	\$11.85	\$687.30	\$10.75	\$623.50	\$12.00	\$696.00
9	9 Rock-Filled Gabions, PVC	Cu Yd	88	\$175.00	\$15,400.00	\$111.46	\$9,808.48	\$124.00	\$10,912.00	\$148.65	\$13,169.20	\$154.31	\$13,579.28	\$173.00	\$15,224.00
10	10 Rock-Filled Gabions, Galvanized	Cu Yd	98	\$165.00	\$16,170.00	\$111.46	\$10,923.08	\$151.00	\$14,798.00	\$127.75	\$12,029.50	\$127.35	\$12,480.30	\$165.00	\$16,170.00
Bid Schedule C Total					\$51,293.00		\$47,233.08		\$53,317.00		\$59,219.00		\$70,797.80		\$113,943.00

TOTAL BID SCHEDULES A Through C

\$5,059,265.60

\$837,257.02

\$831,280.25

\$782,886.10

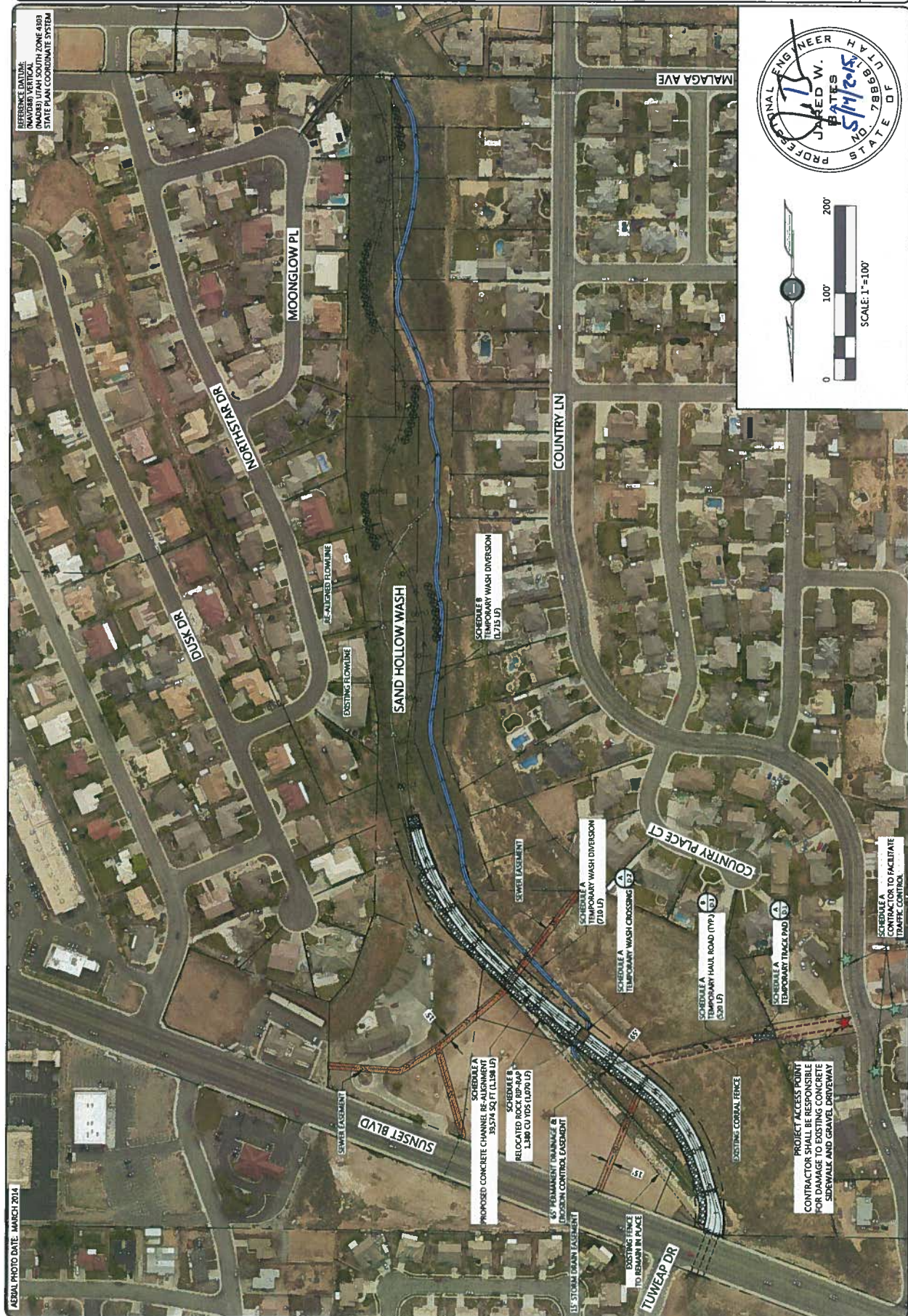
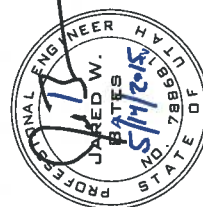
\$578,939.32

\$492,173.90



VICINITY MAP
NOT TO SCALE

OVERALL PLAN VIEW AND ACCESS PLAN
FOR
SAND HOLLOW WASH RESTORATION PROJECT
CITY OF ST. GEORGE



DRAFTAgenda Item Number : **3A**

Request For Council Action

Date Submitted 2015-06-24 17:05:45**Applicant** Kent Frei**Quick Title** Public Hearing and Ord Municipal Boundary line adjustment w/ SC**Subject** To take public comment on the proposed boundary line adjustment between St. George and Santa Clara.

Discussion This is a public hearing to hear comments regarding the boundary line adjustment. The applicant is requesting to modify the City's boundary between Santa Clara and St. George. The proposed boundary line adjustment would decrease City limits to the east and is to accommodate a residential subdivision. The City Council approved the Resolution of Intent on April 2, 2015. State Law requires a public hearing not less than 60 days after the resolution is approved. The adjustment would not become effective until each municipality has adopted an ordinance accepting the proposal.

Cost \$0.00

City Manager Recommendation This allows the property currently in the City to be combined with property outside our boundary to make one project to be completed in one City rather than two.

Action Taken**Requested by** John Willis**File Attachments****Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments**

Public notice is hereby given that the City of St. George has adopted a resolution declaring the intent of the City of St. George, Utah, to consider adjusting a common municipal boundary line with the City of Santa Clara, Utah.

The property is located on both sides of a common municipal boundary more specifically the northeast corner of the intersection of Lava Cove Drive and Little League Drive, west of the existing Canyon Terrace Estates Phase 7 of St. George, and north of the Snow Canyon High School football field.

A public hearing will be held on Thursday, July 09, 2015 at 5:30 PM in the St. George City Hall Council Chambers at 175 East 200 North.

The City of St. George will adjust the boundaries unless, at or before the public hearing under Utah Code Ann.10-2-401(2)(a)(ii), written protests to it are filed by the owners of private real property that: is located within the area proposed for adjustment; covers at least 25% of the total private land area within the area proposed for adjustment; and is equal in value to at least 15% of the value of all private real property within the area proposed for adjustment.

The subject area of the boundary adjustment will, because of the boundary adjustment, be automatically annexed to a local district providing fire protection, paramedic, and emergency services or a local district providing law enforcement service, as the case may be, as provided in Section 17B-1-416, if: the municipality to which the area is being added because of the boundary adjustment is entirely within the boundaries of a local district: that provides fire protection, paramedic, and emergency services or law enforcement service, respectively; and in the creation of which an election was not required because of Subsection 17B-1-214(3)(c): and the municipality from which the area is being taken because of the boundary adjustment is not within the boundaries of the local district.

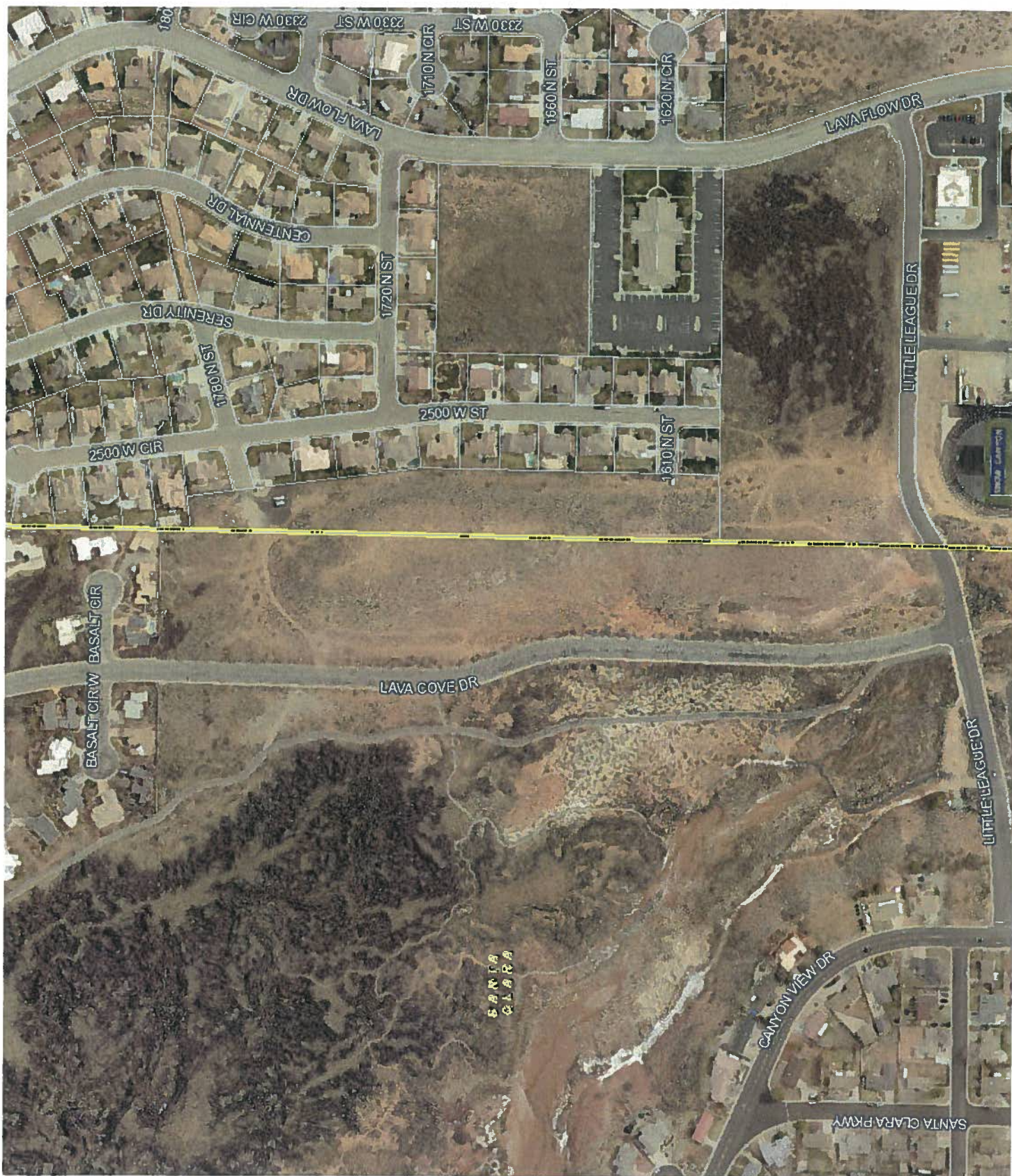
The subject area of the boundary adjustment will be automatically withdrawn from a local district providing fire protection, paramedic, and emergency services, as provided in Subsection 17B-1-502(2), if the municipality to which the area is being added because of the boundary adjustment is not within the boundaries of a local district: that provide fire protection, paramedic, and emergency services; and in the creation of which an election was not required because of Subsection 17B-1-214(3)(c); and the municipality from which the area is being taken because of the boundary adjustment is entirely within the boundaries of the local district.

Reasonable Accommodation: The City of St. George will make efforts to provide reasonable accommodations to disabled members of the public in accessing City programs. Please contact the City Human Resources Office, 627-4671, at least 24 hours in advance if you have special needs.

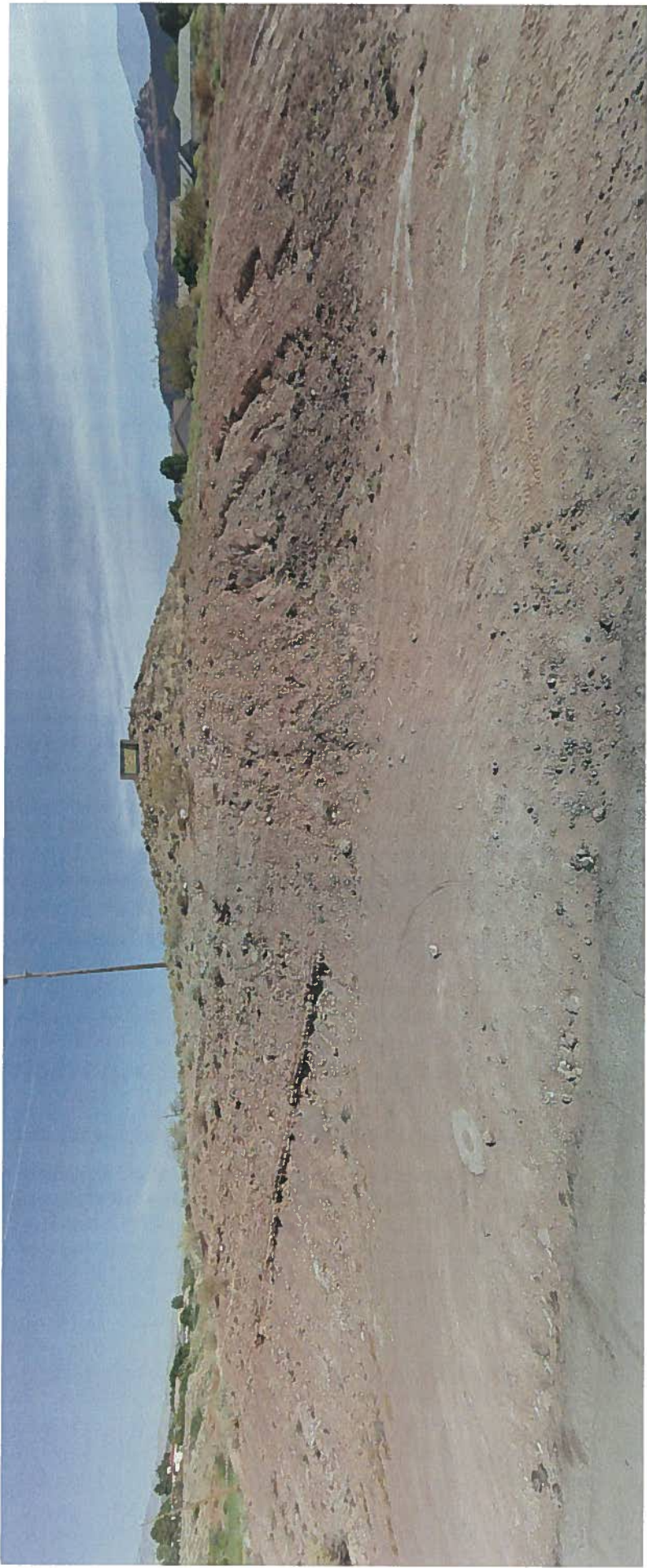
Genna Singh
Deputy City Recorder

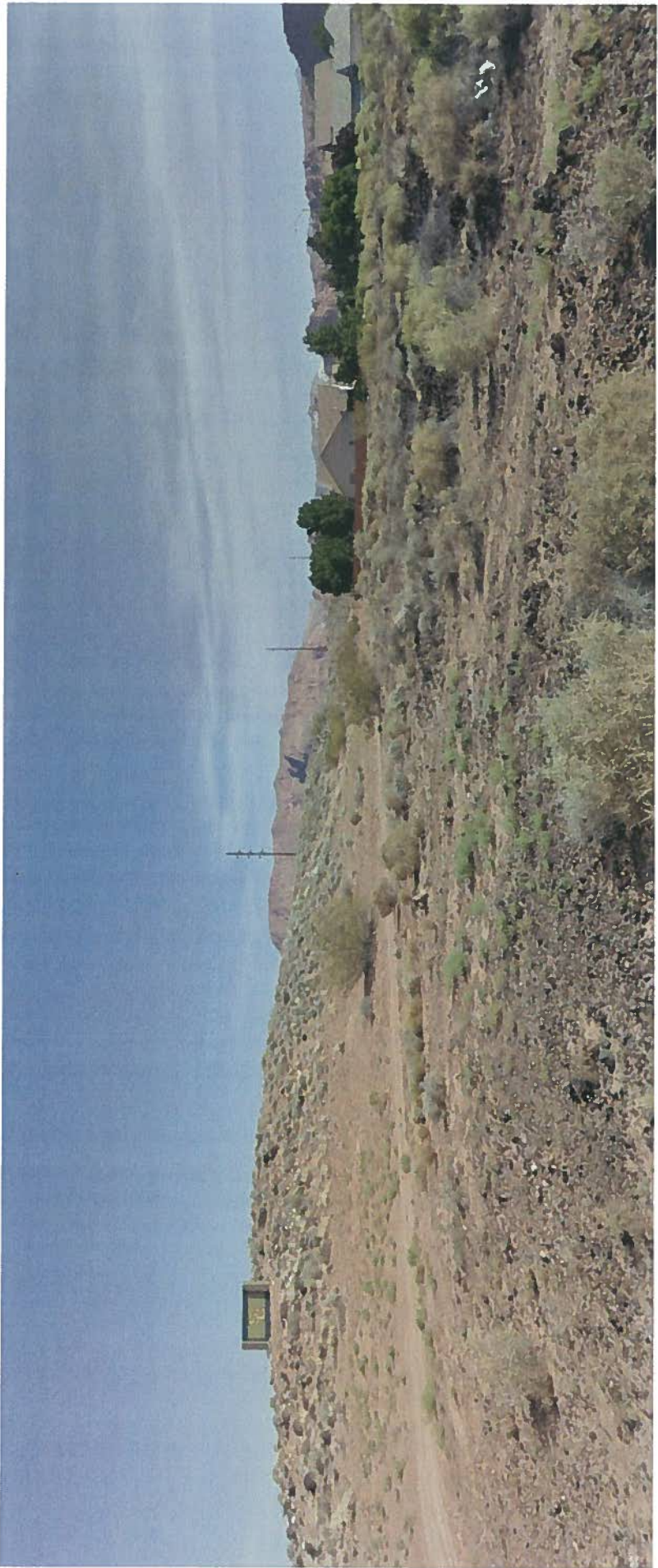
Spectrum Publication: Wednesday, May 06, 2015
Wednesday, May 13, 2015
Wednesday, May 20, 2015

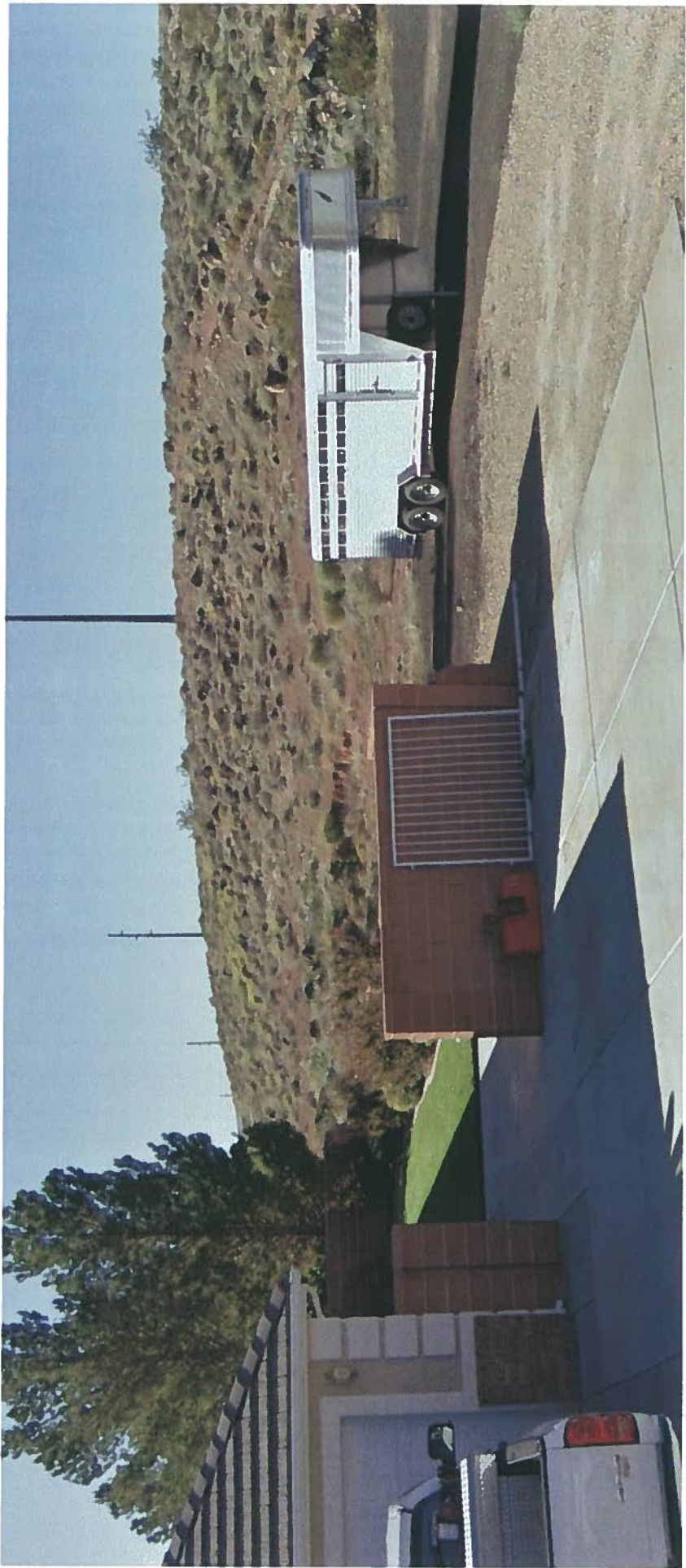
Municipal Boundary Line Adjustment











ORDINANCE NO. _____

**AN ORDINANCE ADJUSTING A MUNICIPAL BOUNDARY LINE WITH
SANTA CLARA CITY (Frei Property)**

WHEREAS, the City of St. George has received a request from Mr. Kent Frei, property owner, to consider a boundary line adjustment with the City of Santa Clara for property located on both sides of the common municipal boundary fully described in Exhibit A; and

WHEREAS, the property owner has requested this consideration, due to access to utility services for a future residential subdivision; and

WHEREAS, Utah Code Annotated Section 10-2-419 allows for municipalities having a common boundary to adjust the boundary by adopting a resolution indicating the intent to adjust the boundary, and to give subsequent notice of the intent, and hold a public hearing as required by law; and

WHEREAS, the City Council adopted such a resolution on April 2, 2015, and held a public hearing on this request on July 9, 2015; and

NOW, THEREFORE, BE IT ORDAINED, by the City of St. George City Council, the City Municipal Boundary is adjusted, pursuant to Utah Code Annotated Section 10-2-419, as described on the attached property legal description, Exhibit "A". This Ordinance is effective on the date executed below.

APPROVED AND ADOPTED this ____ day of _____, 2015.

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

Christina Fernandez

From: kholyoak@infowest.com
Sent: Thursday, July 09, 2015 8:18 AM
To: Jon Pike; Christina Fernandez
Subject: Citizen Message for Mayor Pike from Kevin Holyoak - www.sgcity.org

Message from Kevin Holyoak (kholyoak@infowest.com)

Phone: 4356325445

Citizen Message:

Good Morning Mayor, St. George City Council Members, City Manager, and Staff:

In this afternoon's council meeting you are being asked to consider approval of an ordinance adjusting the boundary line between St. George and Santa Clara adjacent to and west of the Canyon Terrace Estates subdivision. I live at 1597 North 2500 West St George which is adjacent to the proposed boundary change. The applicant is the same developer that developed our subdivision. The original intent of the developer was to extend the next phase of Canyon Terrace up the hill and keep it in St George City limits. In an effort to cut costs, the developer is seeking the boundary change to avoid the hillside review process and to use St George streets for two thirds of the access to the new development and dump all the drainage issues onto St George residents living on 2500 West.

2500 West is a dead end street originally intended to extend south and west, so the permanent drainage issues have never been addressed. Currently with every storm the rain water ends up at the bottom of 2500 W and backs up into the front yards of the lowest lots, acting as a detention basin that eventually drains to the south into the undeveloped School District property. This is unacceptable because the water brings with it debris and the oils and other chemicals from the asphalt that then coat my shrubs, trees, and lawn.

The developer is proposing the new development on the hill above us drain down 1610 North to 2500 West. This is a serious concern to those that live on 2500 because the volume of water would now double and it is very likely I would have water at my front door.

The design of the proposed subdivision on the hill above us is to use two existing Saint George streets and one new Santa Clara street. This ensures St George residents absorb two thirds of the traffic through our existing neighborhood. All so the developer can sell more lots without addressing the negative impact to existing residents.

I am asking that you protect your citizens in Canyon Terrace and approve this boundary request only with an assurance from Santa Clara that all drainage exit the new proposed subdivision to the west into Santa Clara's drainage system. Santa Clara wants and needs the impact fees from this project so they need to force the developer to deal with the drainage and traffic access to the new subdivision.

If you haven't taken the opportunity to visit the neighborhood I encourage you to table this proposal until you have time to study it and address our concerns.

I am out of town and unable to attend today's meeting, I would like this to be read and entered into the minutes.

Thank you,
Kevin Holyoak
1597 N. 2500 W.
St. George, Utah 84770
(435)632-5445

DRAFTAgenda Item Number : **3B**

Request For Council Action

Date Submitted 2015-06-23 10:50:29**Applicant** Capital 5 LLC**Quick Title** Public Hearing, Zone Change, and Ord to Amend the PD-R**Subject** Consider a zone change amendment request to construct a four-story, 78 unit condominium project on approximately 5.7 acres of property in the PD-R (Planned Development Residential) zone. The project is Estancia and is located at approximately 1151 South Plantations Drive.**Discussion** The original approval was four buildings, each 3-stories with a couple buildings having minor 4-story sections in the middle, and 78 total units. The applicant is proposing to eliminate one of the buildings and increase the height to 4-stories, as well as, expand the footprint of the other buildings. The project will maintain the same number of units. Planning Commission recommends approval.**Cost** \$0.00**City Manager Recommendation** Tabled from your last meeting.**Action Taken****Requested by** John Willis**File Attachments****Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments**

Estancia Resort Condos

PLANNING COMMISSION AGENDA REPORT: 05/26/2015
CITY COUNCIL SET DATE: 06/04/2015
CITY COUNCIL MEETING: 07/09/2015

Estancia Condominiums at Green Valley 2015-ZCA-014 Amendment PD-R

Request: Consider a zone change amendment to construct a four-story, 78 unit condominium project on approximately 5.7 acres in the PD-R (Planned Development Residential) zoning district. The project is located at approximately 1151 South Plantations Drive.

Project Name: Estancia Resort

Owner / Developer: Capital 5 LLC

Representative: David Nasal

Zone: PD-RES (Planned Development Residential)

General Plan: HDR (High Density Residential) 10-22 du/acre

Location: Located on Plantations Drive between the Trendwest Vacation Rental development and the Cottages South development (approximately 1151 South).

Acreage: 5.7 acres

Density: 13.6 du/ac

Building Area: The original approval was four buildings, each 3-stories tall with a couple buildings having minor 4-story section in middle, with 78 total units. The applicant is proposing to eliminate one of the buildings and increase the height to four-stories, as well as, expand the footprint of the other buildings. The project will maintain the same number of units.

Ordinance: "Planned Development Zone" Section 10-8-3(C) requires the submittal of a colored site development plan, a written text, and colored elevations.

Setbacks (Required): Front = 25 ft., Side = 10 ft. Street side = 25 ft., and rear = 10 ft.
(measured from PL)

- Height:** The applicant is proposing four story buildings, which will be fifty-three feet (53') in height. According to City Code, buildings that exceed 35' in height must be approved as part of the PD approval.
- Materials:** The exterior building materials consist of tile roofs, textured stucco walls, with stone accents on columns.
- Parking:** No change is being proposed to the parking area. 182 parking spaces are required, and provided as per site plan. Parking is calculated at 2 parking spaces/unit + 1 space per 3 units for guest parking.
- Landscape & Recreation Area:** The proposed site plan will increase the amount of landscaping, given one building is being removed. Landscape coverage is 2.2 acres which equals 38% of site. A minimum of 30% landscaping is required per zoning code. As part of the overall landscape area, a recreation area equal to 200 sq ft per unit is required. That minimum amount for a 78 unit project is 15,600 sq ft (78 units X 200 sq ft/unit). The projects interior courtyard is 26,208 sq ft and consists of lawn, pool, playground equipment, pickle ball court, basketball, and hardscape.
- Lighting:** The site shall be designed to be "dark sky" friendly and avoid any light pollution to neighbors.
- Comments:** The amended site plan meets the requirements of the PD-Residential zone, including parking, and landscaping. The proposed buildings have front and rear balconies which provide depth and interest to the building. According to the applicant, the reduction to three buildings will provide views for the other buildings, as well as, increasing recreation and landscaped areas. Building heights are required to be approved as part of the PD amendment.
- P.C.:** The Planning Commission recommends approval (5-0) as presented. If parking is changed, then the applicant must come before the PC and CC for approval.

The Lakes at St. George
St. George 730 LLC

May 22, 2015

Mr. John Willis
Planning Manager
City of St. George
175 East 200 North
St. George, Utah 84770

Re: Capital 5 LLC-Proposed Zoning Action (Case #2015-ZCA-014)

Mr. Willis,

We are in receipt of the City's notification regarding a request by Capital 5 LLC to amend the current Zoning and have the following comments and concerns:

1. We opposed the applicants General Plan Amendment at the City Council Meeting on Feb 20, 2014 and among other things expressed concerns regarding added traffic to Canyon View Drive and Plantations Drive. We were assured at that meeting that the applicant would be required to do a traffic study as a part of the Zoning Process to identify and mitigate any traffic impacts accordingly. This did not happen. Apparently the development does not exceed the City's minimum 80 unit requirement for a traffic study and were not required to do a traffic study regardless of the assurances made by the City Council. By comparison, the Lakes, understandably a much larger development, is required to mitigate existing traffic concerns on Canyon View Dr. as a condition of approval for the first subdivision Plat regardless of unit count. Accordingly, we are requesting the applicant be required to do a traffic impact study and address any impacts.
2. In addition, the current project, as approved, has utilized a strip of land for parking to meet the minimum parking requirements. This strip of land, directly west and adjacent to SG 6-2-35-122, is a part of a land exchange agreement between TAWA (Trend West) and the Lakes property owners that was needed to facilitate the alignment of Plantations Drive. That agreement (attached) restricts the use of the property to landscaped open space. Apparently none of this was disclosed by the applicant at the time of zoning approval. As a result, we are requesting the applicant not be approved for the additional units at this time and the parking lot improvements be removed and replaced with landscape in accordance with the agreement.

We have worked long and hard with the City to address concerns from not only the City but the neighboring communities to ensure the land use densities and intensities proposed for the Lakes Project provide a positive impact to all stake holders and believe an approval for additional units uses by increasing the height of the buildings is not in keeping with what has been requested of the Lakes Project.

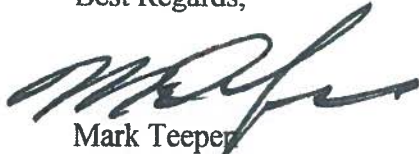
The Lakes at St. George

St. George 730 LLC

As you can see there are a number of significant issues with this development that need to be addressed prior to any further approvals and continued development by the applicant. Unfortunately, due to circumstances out of our control we are unable to be present at the Planning Commission Hearing and request the item be tabled until the above concerns can be addressed.

Please feel free to contact me with any questions.

Best Regards,



Mark Teeper
St. George 730 LLC
Owners Representative
(702) 232-5799

Cc: Mark Schnipple St. George 730 LLC
Gary Esplin, City Manager

Attachments:

TAWA Property Exchange Agreement



LAND EXCHANGE AGREEMENT

THIS AGREEMENT is entered into this _____ day of _____, 2006, by and between St. George 730, LLC, a Nevada limited liability company, (herein "St. George 730"), and TAWA Development, LLC, a Utah Limited Liability Company (herein "TAWA").

RECITALS

WHEREAS, St George 730 and Tawa both agree that this document replaces any and all other Land Exchange Agreements that have been previously signed; and

WHEREAS, St. George 730 has real property located within the City limits of the City of St. George, Utah, fronting the East side of Plantations Drive near the Trendwest Resort, hereinafter referred to as the "Property", and which is legally described in Exhibits A and B as attached; and

WHEREAS, TAWA is constructing a land development adjacent to the Property known as the Trendwest Resort; and

WHEREAS, TAWA is required by the City of St. George to construct and maintain landscaping improvements adjacent to the Property and fronting Plantations Drive; and

WHEREAS, TAWA agrees to maintain the Property in a neat and clean condition meeting the requirements of the City of St. George; and

WHEREAS, TAWA agrees to, and will dedicate any portion thereof as may be requested by the City of St. George for streets, utilities, drainage, trails or any public use in the future without cost to the St. George 730; and

WHEREAS, TAWA agrees to not use the Property for any purpose other than open space uses as defined by the City of St. George and agrees not to construct any structures on the Property; and

WHEREAS, TAWA or assigned agrees to construct the remaining public street, utility and drainage improvements fronting the Property as required by the City of St. George at no cost to St. George 730 within 90 days of being notified in writing by St. George 730 that the city has required those improvements be constructed; and

WHEREAS, TAWA agrees to reimburse St. George 730 \$2,500 for costs attributed to maintaining the Property in good condition during the last 12 months; and

WHEREAS, St. George 730 agrees to convey title of the Property to TAWA in accordance with the recitals and terms of this agreement via warranty deed.

AGREEMENT

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. Incorporation of Recitals. The recitals set forth above are incorporated herein by reference.
2. Modification. Any changes or modifications to this Agreement by the parties shall be in writing and signed by the parties hereto.

Time of the Essence. Time is of the essence of this Agreement.

4. **Binding Effect of Agreement.** This Agreement is binding upon and shall inure to the benefit of the executors, administrators, heirs, successors, and assigns of the parties.

5. **Validity and Severability.** This Agreement shall be interpreted and enforced in accordance with the laws of the State of Utah. The parties executing this Agreement warrant and represent that they do so having full authority and in the capacities stated. If any part of this Agreement is found to be invalid by a Court of competent jurisdiction, all parties shall be released from any and all responsibility under those provisions of this Agreement. Upon such a finding, all other provisions of this Agreement shall remain in force.

6. **No Joint Venture, Partnership or Third Party Rights.** This Agreement does not create any joint venture, partnership, undertaking or business arrangement between the parties hereto nor any rights or benefits to third parties, except as expressly provided herein.

Integration. This Agreement contains the entire agreement between the parties with respect to the subject matter hereof and integrates all prior conversations, discussions or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed and approved by the parties hereto.

IN WITNESS WHEREOF, the parties have executed this Agreement on the date first written above.

TAWA Development, LLC


Jeff Chapman, Manager

STATE OF UTAH

COUNTY OF WASHINGTON)
ss.

On the 5 day of November, ²⁰¹³~~2000~~, personally appeared before me Jeff Chapman, who being by me duly sworn, did say that he is the Managing Member of TAWA Development, LLC, and who duly executed the same.

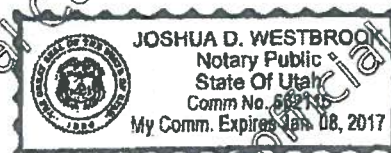

Notary Public

ST. GEORGE 730, LLC


Mark A. Schnippel, President, Plantations, Inc.
Managing Member, St. George 730, L.L.C.

STATE OF NEVADA)
ss.

COUNTY OF CLARK)



On the 2nd day of October, 2013, ¹⁵2006, personally appeared before me Mark Schnippen, who being by me duly sworn, did say that he is the President of Plantations, Inc. who acknowledged to me that he executed the foregoing instrument on behalf of the corporation by appropriate authority for its stated purpose and also acknowledged said corporation is the Managing Member of the St. George 730 L.L.C..

Notary Public



EXHIBIT "A"

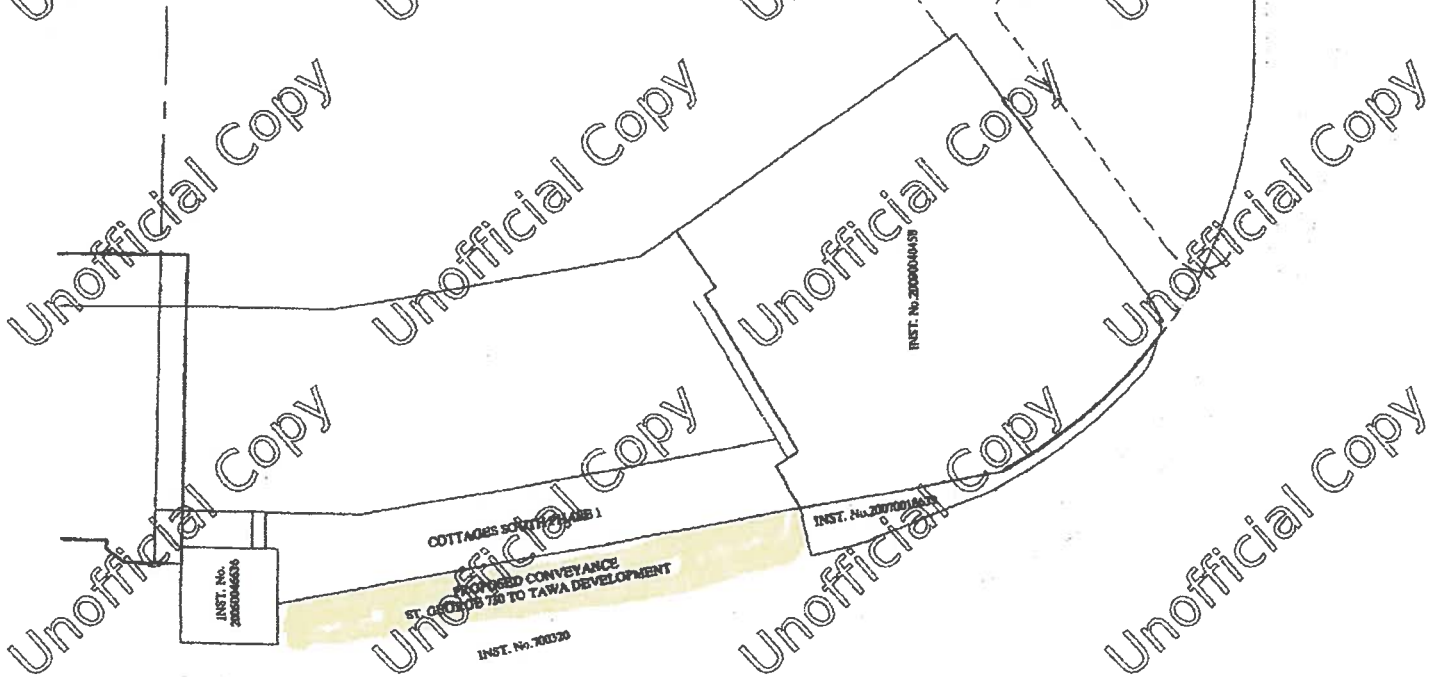
St. George 730, LLC to TAWA Development, LLC

Beginning at the Southwest corner of Cottages South Phase 1 Amended (Instrument No. 20110019696) as on file with the Office of the Recorder, Washington County, Utah. The boundary of said subdivision being located per existing Class 1 monuments located in Canyon View Drive. Said Point of beginning also being located North 0°48'55" East 655.99 feet along the section line and North 90°00'00" West 1053.68 feet from the East Quarter Corner of Section 34, Township 42 South, Range 16 West, Salt Lake Base and Meridian and running;

Thence South 76°44'45" West 55.07 along the North line of that "North Parcel" as described in Instrument No. 20070018639 to a point on the Easterly line of Plantations Drive as recorded and described by Instrument No. 700320, Book: 1384, Page: 299 and running the following five (5) courses along said Easterly line;
thence North 13°15'15" West 347.43 feet to a point of curvature;
thence 29.45 feet along a 360.00 foot radius tangent curve to the right through a central angle of 3°40'07" to a point of tangency;
thence North 9°35'08" West 335.94 feet to a point of curvature;
thence 34.05 feet along a 20.00 foot radius tangent curve to the right through a central angle of 97°31'55" to a point of compound curvature;
thence 29.97 feet along a 477.74 foot radius tangent curve to the right through a central angle of 3°35'41" to a point on the Westerly line of that parcel as described in Instrument No. 20060046636;
thence South 1°51'24" West 110.67 feet (Measured) 110.00 feet (Deed) along said Westerly line;
thence South 88°08'36" East 48.74 feet to a point on the Westerly line of said Cottages South Phase 1 Amended;
thence South 9°35'49" East 605.39 feet along said Westerly line to the Point of Beginning.

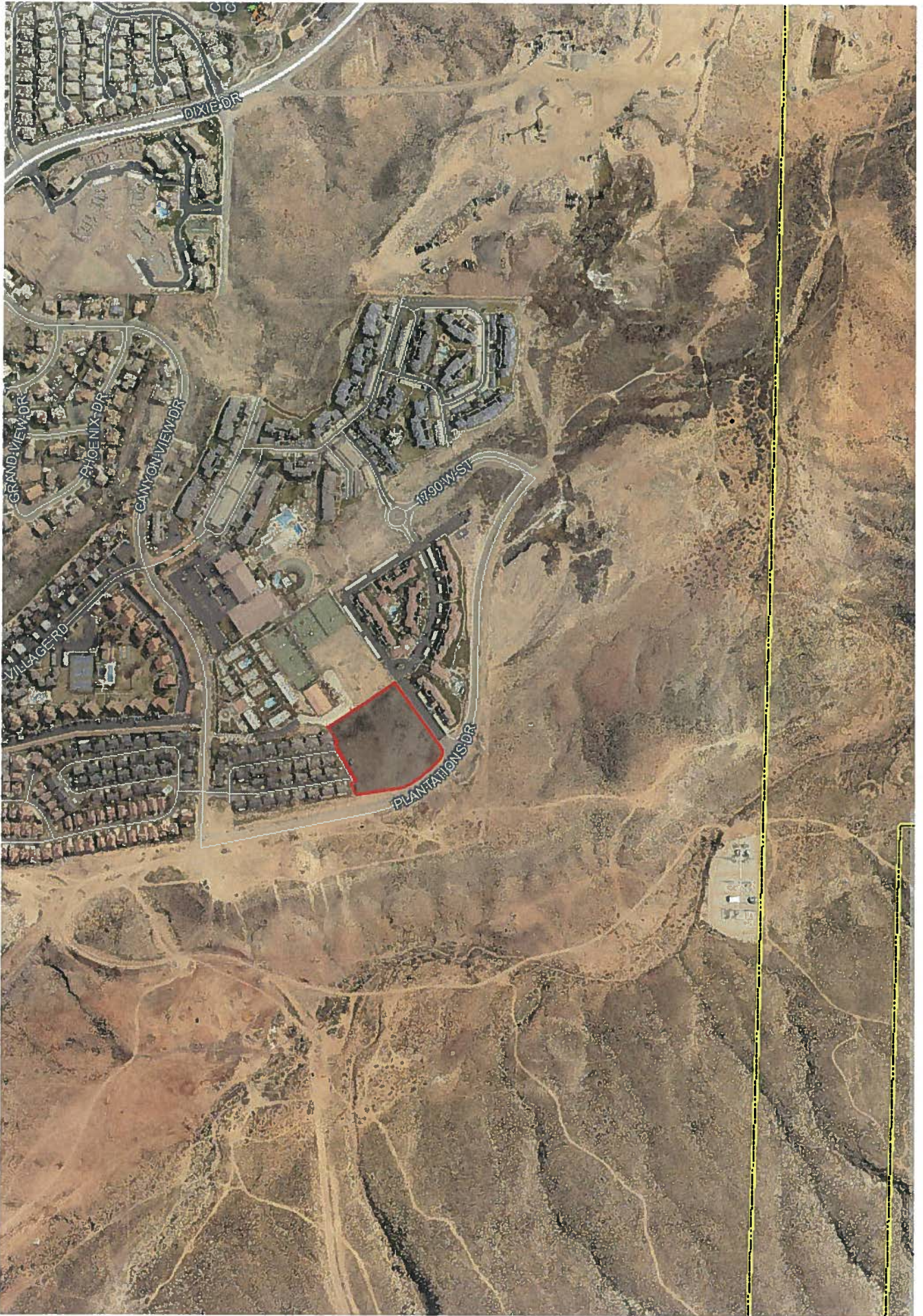
Containing approximately 48,008 Sq. Ft., or 1.10 Acres

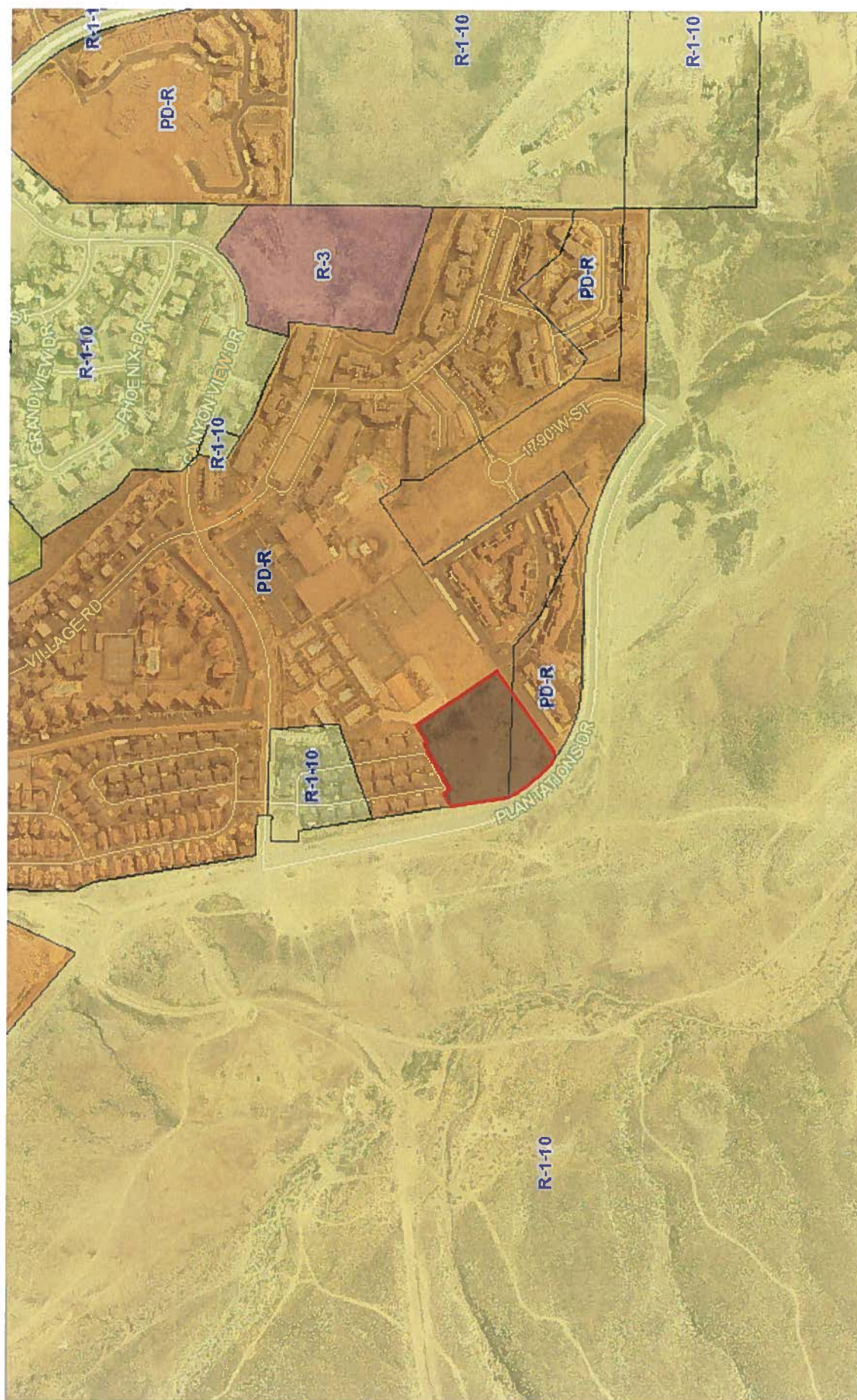
Tax No: SG-6-2-3421016

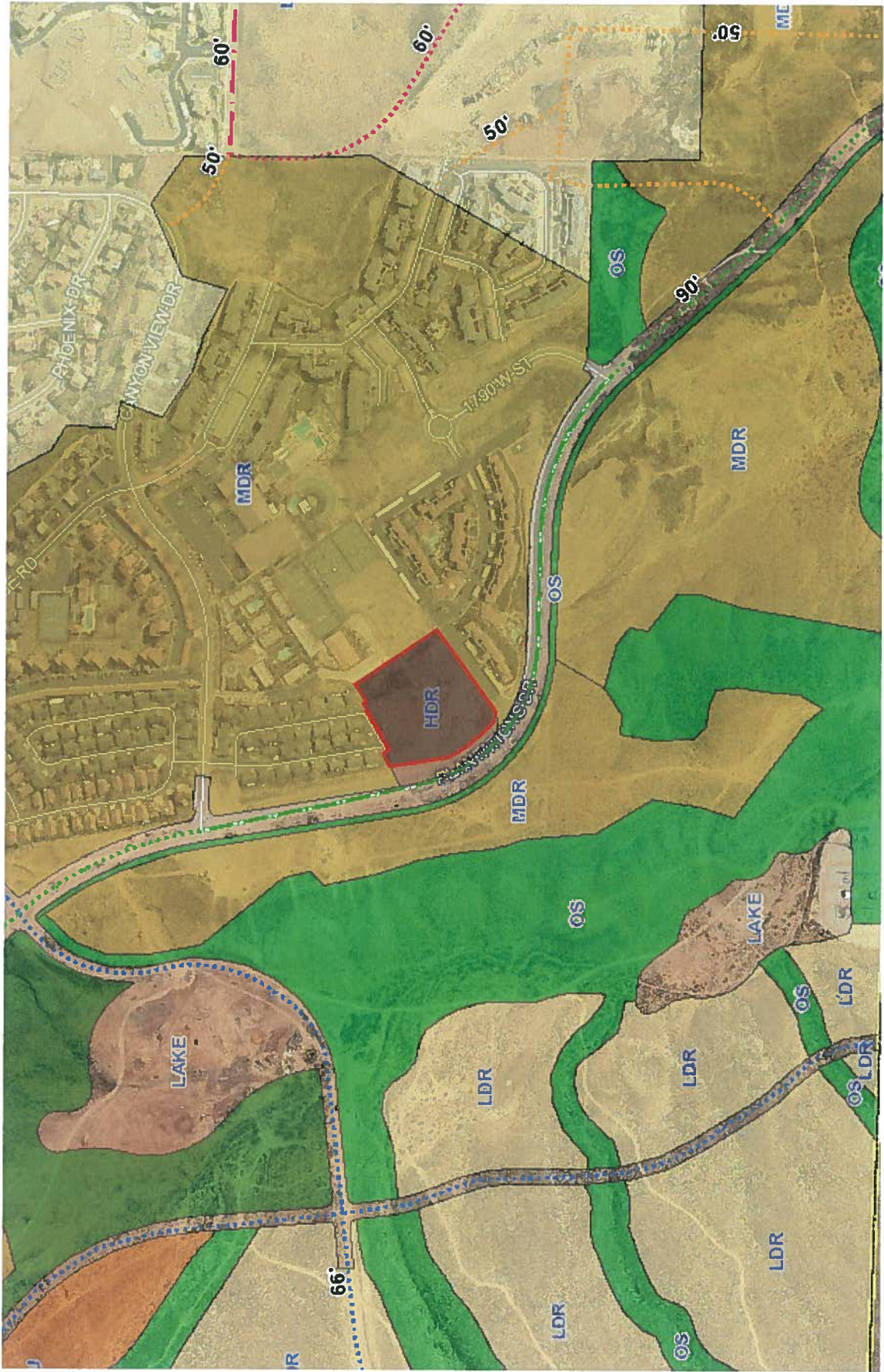


2015-ZCA-014

‘Estancia’







WASHINGTONIA FILIX ERA
CALIFORNIA FAN PALM

FRAXINUS VULUTINA "FAN" TEX
FAN TEX ASH

QUERCUS VIRGINIANA
SOUTHERN LIVE OAK

FRAXINUS OXYCARPA "RAY WOOD"
RAYWOOD ASH

PRUNUS
FLORISTEMUM THORN

PRUNUS ELAENICA
MONDEL PINE

[illegible]

ESTANCIA DEVELOPMENT CONCEPTUAL LANDSCAPE PLAN

N.T.S.

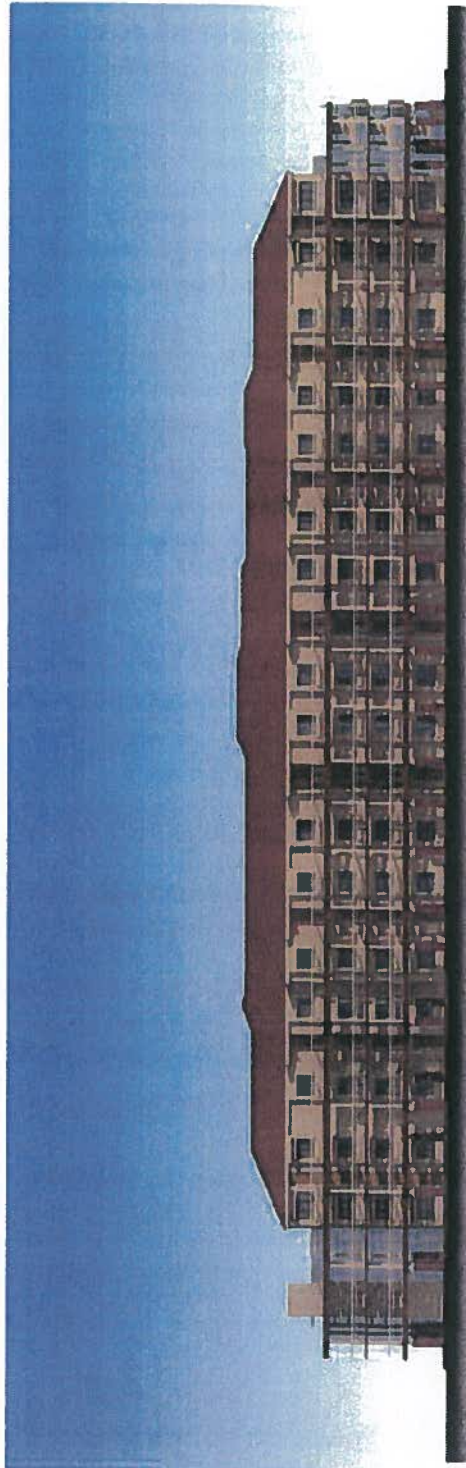




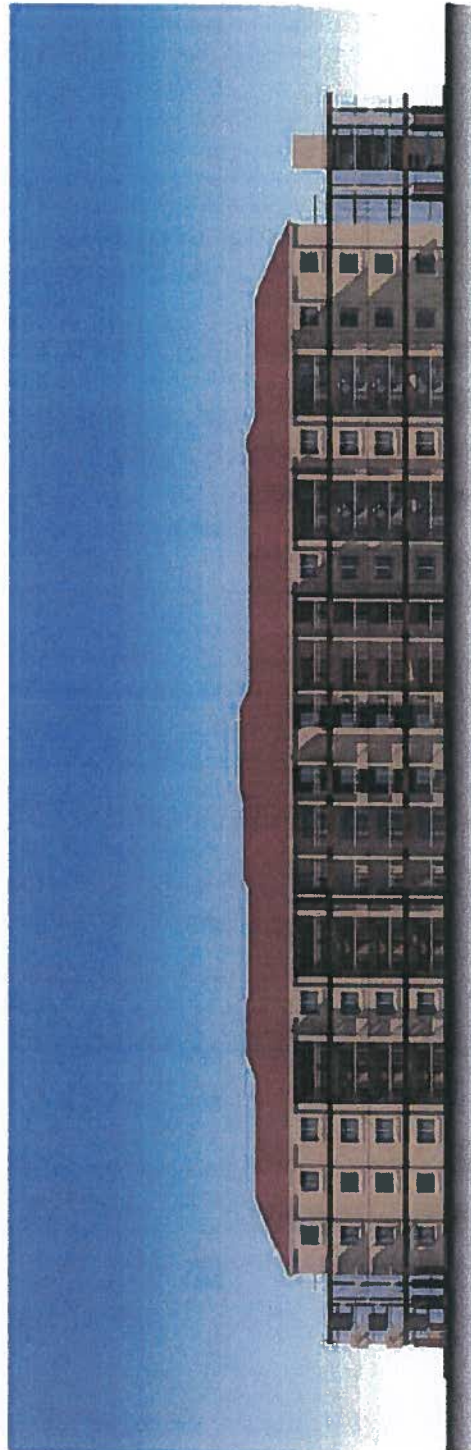


SIGN WALL SECTION

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WEST (STREET) ELEVATION



REAR (EAST) ELEVATION

36 UNIT PHASE III

ALL INFORMATION IS APPROXIMATE. APPROXIMATE TO THE EXTENT OF THE INFORMATION IS NOT TO BE USED FOR ANY PURPOSES OTHER THAN THAT FOR WHICH IT WAS PROVIDED. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY INACCURACIES OR OMISSIONS. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE BUILDING AND ITS STRUCTURE. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S DESIGN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF ANY INFORMATION PROVIDED BY OTHERS. THE ARCHITECT'S DESIGN IS BASED ON THE INFORMATION PROVIDED BY THE CLIENT.

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DATE: 01/11/11
BY: [Signature]
PROJECT: 16 UNIT PHASE II

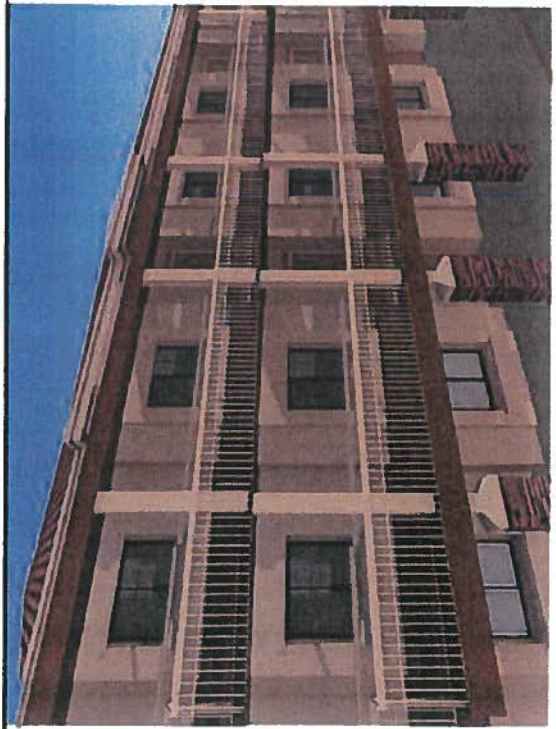
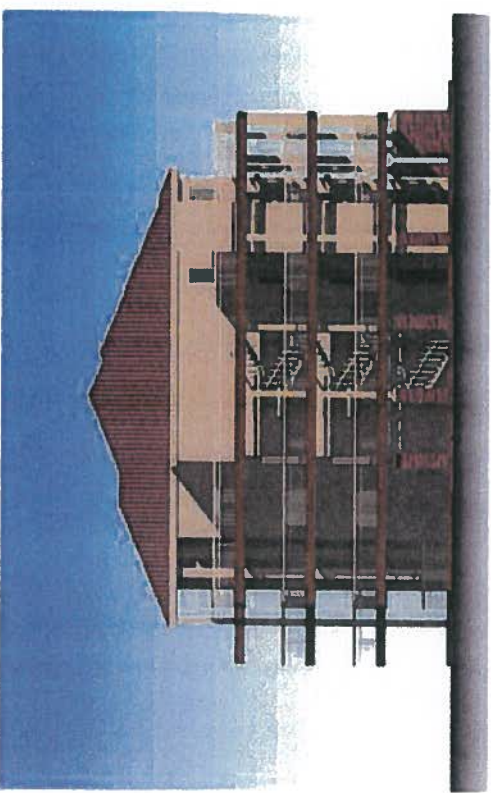
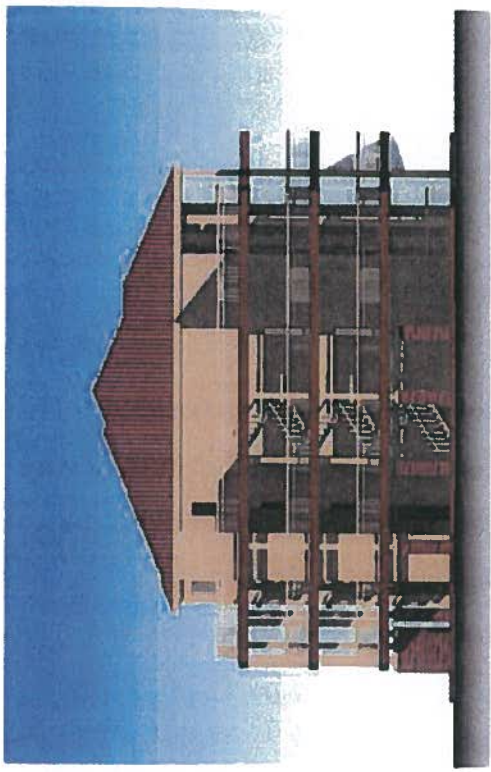
ESTANCA RESORT
NEW MULTIRESIDENCE FOR
GREEN VALLEY
ST GEORGE, UTAH

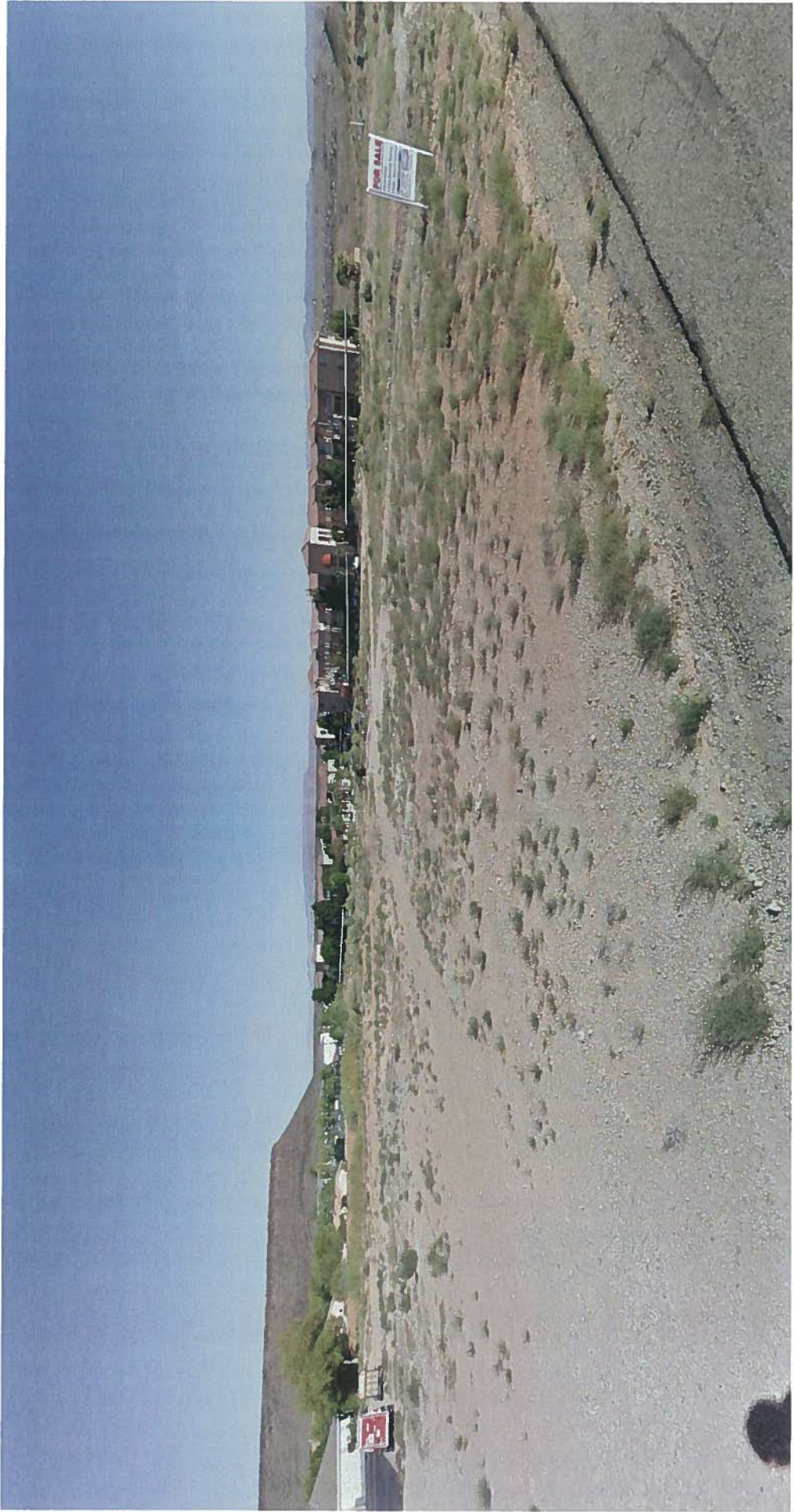
Concept Plans

MARK L. NEILSON - ARCHITECT
& ASSOCIATES
P.O. BOX 2044 WESTLAKE, UTAH 84015 (435) 769-1111

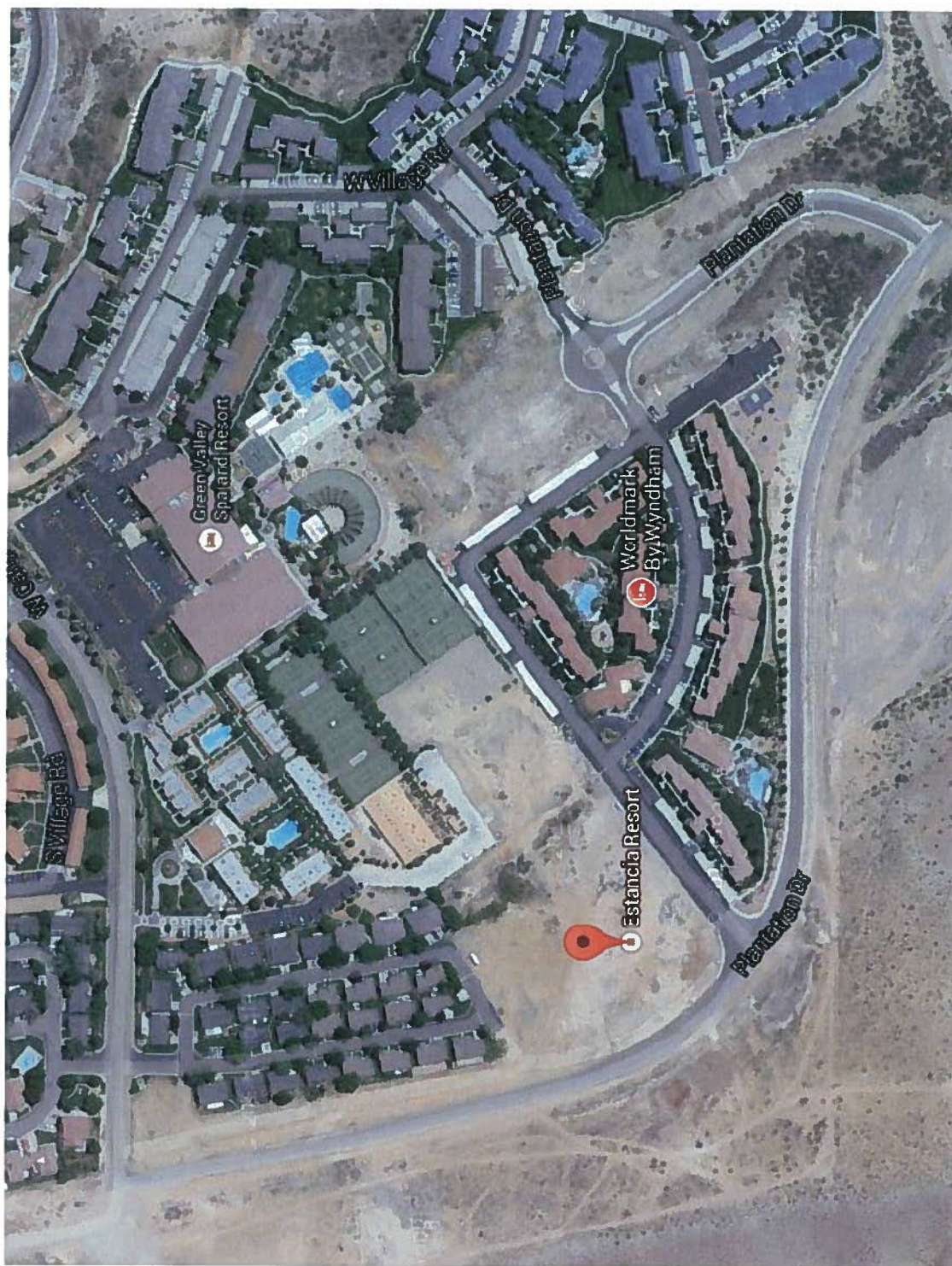


16 UNIT PHASE II

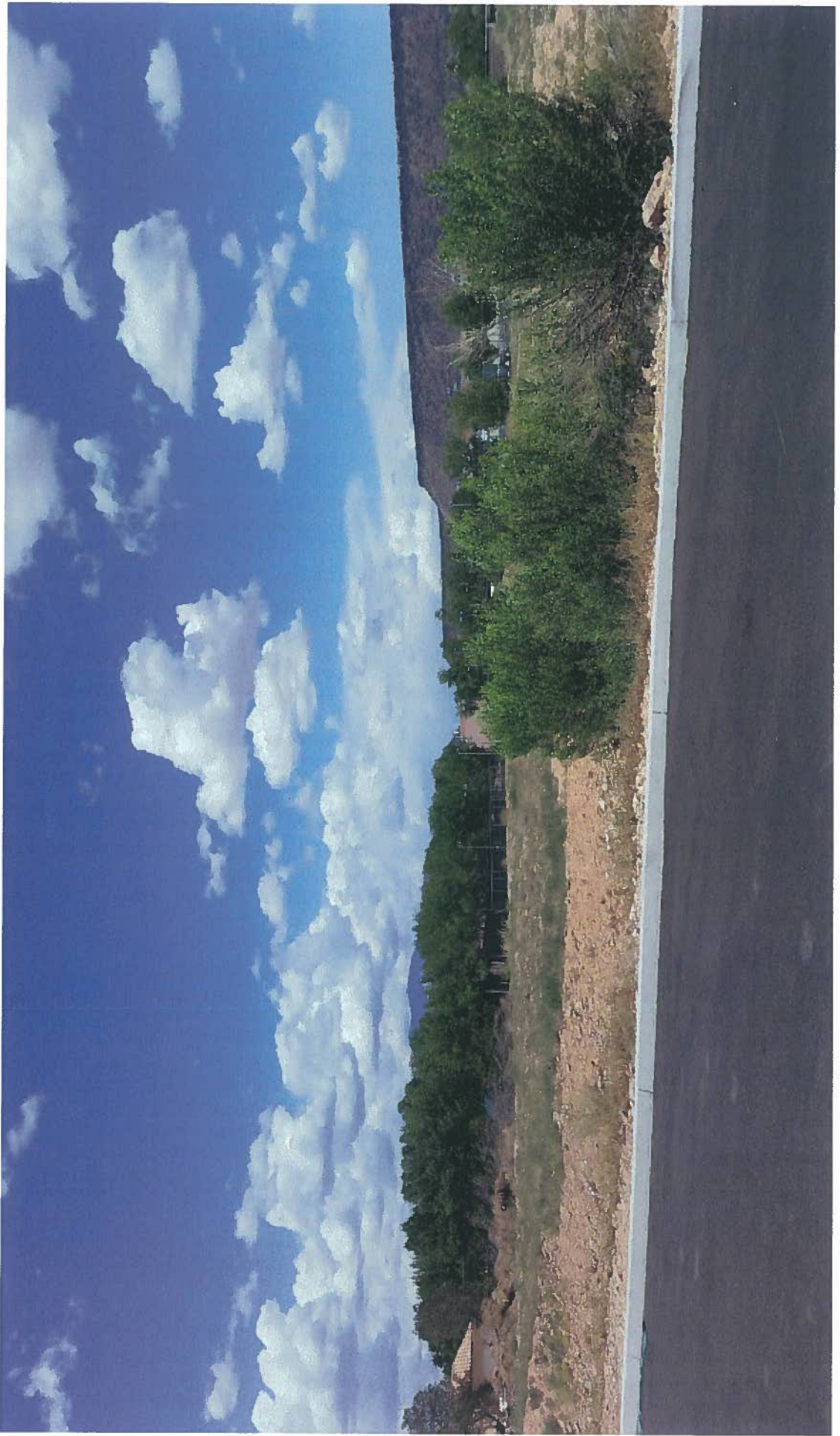


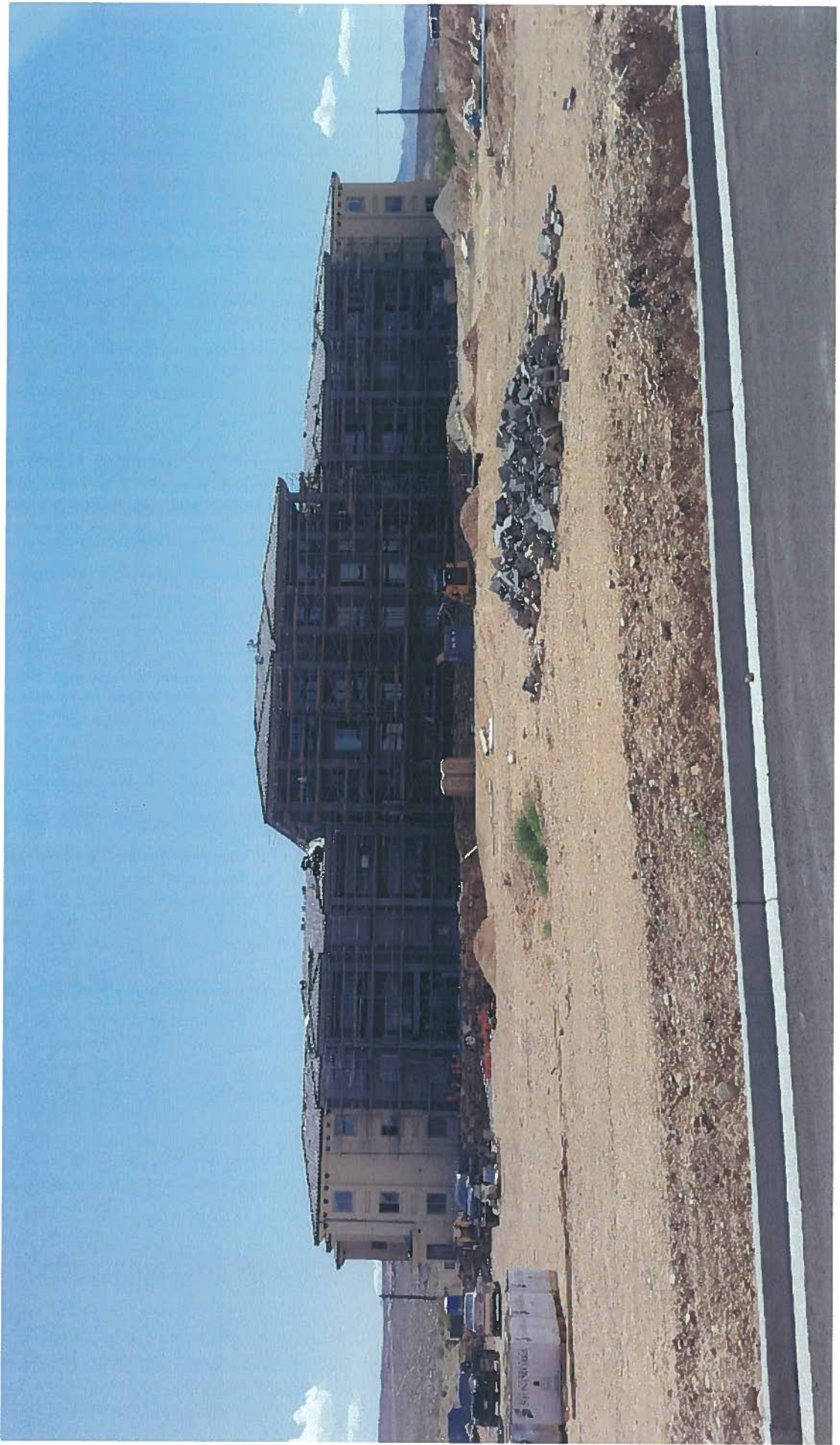


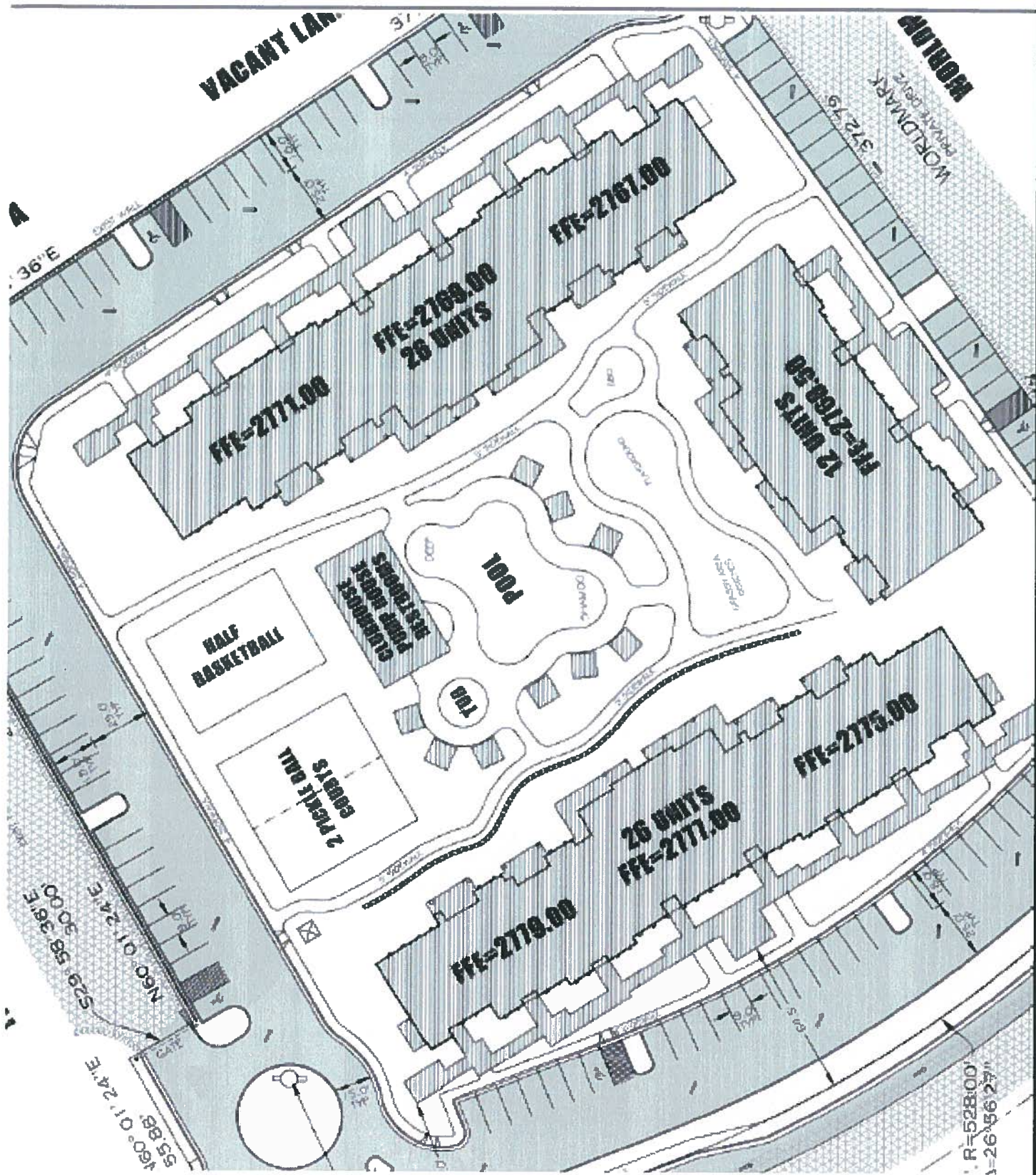




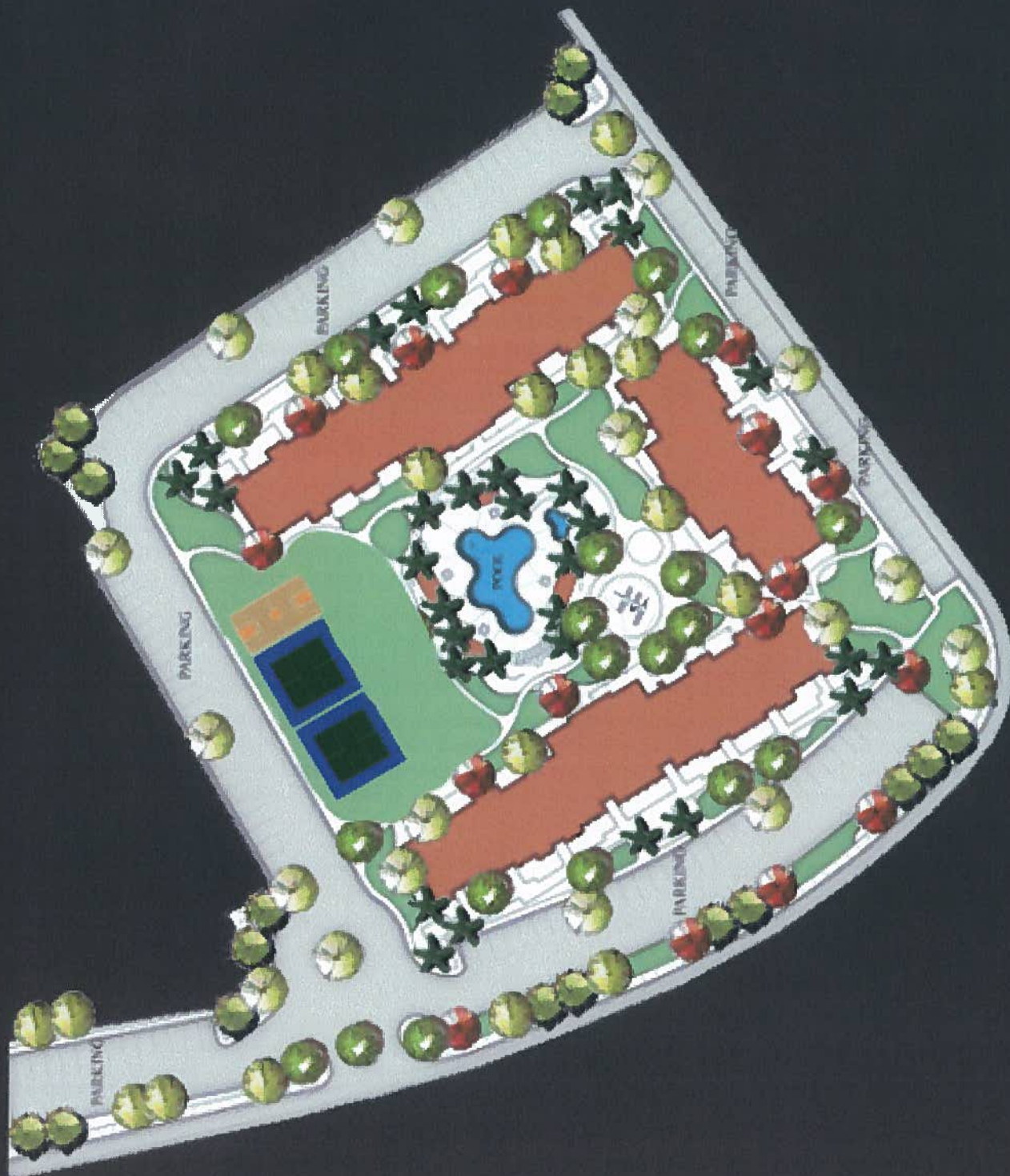








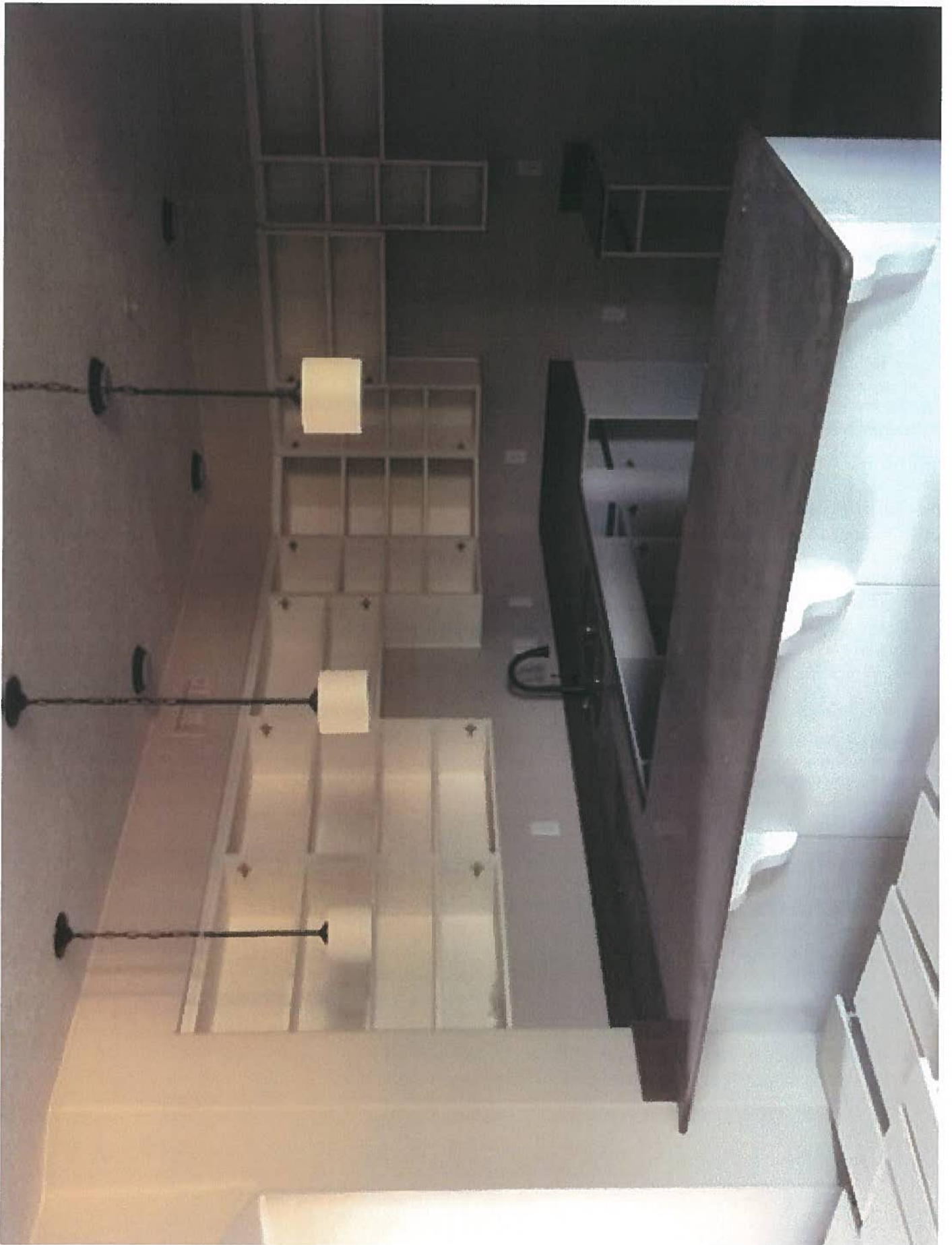
















Rental Rates

2 Bedroom- \$139-199

3 Bedroom- \$199-299

4 Bedroom- \$275-399

***Projections, not based on actual financials**

Contact Information

www.estanciaresort.com

Floorplans

Reservation Agreement

Contact Information

Dave Nasal 435-705-4474

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE PD RESIDENTIAL ZONE FOR ESTANCIA
CONDOMINIUMS AT GREEN VALLEY LOCATED AT APPROXIMATELY 1151 SOUTH
PLANTATIONS DRIVE ON 5.7 ACRES**

WHEREAS, the property owner has requested a zone change amendment to the PD-R (Planned Development Residential) zone on 5.7 acres to develop a four story condominium project; and

WHEREAS, the City Council held a public hearing on this request on July 9, 2015; and

WHEREAS, the Planning Commission recommends approval of the requested zone change; and

WHEREAS, the City Council has determined that the requested amendment to the previously approved PD-R Zone is justified at this time and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealer. Any provision of the St. George City Code found to be in conflict with this ordinance is hereby repealed.

Section 2. Enactment. The City Zoning Map is hereby ordered to be changed to reflect the zone change amendment on 5.7 acres located at 1151 South Plantations Drive, specifically described on the attached property description, Exhibit "A".

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

APPROVED AND ADOPTED by the City Council of the City of St. George, this 9th day of July, 2015.

Jonathan T. Pike, Mayor

ATTEST:

Christina Fernandez, City Recorder

Exhibit "A"

LEGAL DESCRIPTIONS FOR ESTANCIA 05-04-2015

ESTANCIA PHASE 1 DESCRIPTION

BEGINNING AT A POINT BEING N00°48'55"E 482.46 FEET ALONG THE SECTION LINE AND WEST 520.99 FEET FROM THE EAST QUARTER CORNER OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND MERIDIAN, SAID POINT OF BEGINNING BEING ON A NON-TANGENT 490.62 FOOT RADIUS CURVE TO THE LEFT WHOSE RADIUS POINT BEARS N55°46'23"E; THENCE SOUTHEASTERLY ALONG THE ARC OF SAID CURVE 11.30 FEET THOUGH A CENTRAL ANGLE OF 1°19'11"; THENCE S54°18'13"W 372.79 FEET TO THE POINT OF CURVATURE OF A 72.50 FOOT RADIUS CURVE TO THE RIGHT; THENCE 46.08 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°25'01" TO A POINT ON A 531.47 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS N37°15'47"E; THENCE 8.78 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 0°56'48" TO A POINT ON A 67.50 FOOT RADIUS NON-TANGENT CURVE TO THE RIGHT WHOSE RADIUS POINT BEARS N7°02'10"E; THENCE 40.66 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 34°30'48" TO THE POINT OF COMPOUND CURVATURE OF A 528.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE 248.27 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 26°56'27"; THENCE N21°30'35"W 121.68 FEET; THENCE N13°15'15"W 413.88 FEET TO THE POINT OF CURVATURE OF A 460.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE 29.45 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 3°40'05"; THENCE N9°35'08"W 335.35 FEET TO THE POINT OF CURVATURE OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT; THENCE 34.10 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 97°41'49" TO THE POINT OF COMPOUND CURVATURE OF A 477.74 FOOT RADIUS CURVE; THENCE 28.60 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 3°25'47"; THENCE S88°08'36"E 111.54 FEET; THENCE S1°54'52"W 110.07 FEET; THENCE N88°05'08"W 61.50 FEET; THENCE S9°35'49"E 605.38 FEET; THENCE N60°01'24"E 55.88 FEET; THENCE S29°58'36"E 30.00 FEET; THENCE N60°01'24"E 210.66 FEET; THENCE S34°14'36"E 14.89 FEET; THENCE N55°45'24"E 78.00 FEET; THENCE S34°14'36"E 377.17 FEET; THENCE S55°46'23"W 0.89 FEET TO THE POINT OF BEGINNING.

CONTAINS 5.701 ACRES

LESS AND EXCEPTING THE FOLLOWING THREE PARCELS;

L&E PARCEL #1; (FUTURE PHASE #2)

BEGINNING AT A POINT BEING N00°48'55"E 261.01 FEET AND WEST 806.66 FEET FROM THE EAST QUARTER CORNER OF SECTION 34, TOWNSHIP 42 SOUTH, RANGE 16 WEST, SALT LAKE BASE AND

DRAFTAgenda Item Number : **3C**

Request For Council Action

Date Submitted 2015-06-22 11:37:17**Applicant** Sullivan Field LLC**Quick Title** Public Hearing, Zone Change, and Ord From RE-20 to R-1-12

Subject Consider a zone change request on approximately 13.36 acres from RE-20 (Residential Estate 20,000 sq. ft. minimum lot size) to R-1-12 (single family Residential 12,000 sq. ft. minimum lot size) to accommodate future residential development of "The Cove at Little Valley." The property is generally located on the south side of Horseman's Park Drive, and generally between Little Valley Road and 2350 East Street.

Discussion The applicant originally proposed a zone change for the entire property, which extended to Little Valley Road. After concerns were expressed by the neighbors, the applicant modified the requested and maintained the current zoning along Little Valley Road. Planning Commission recommends approval.

Cost \$0.00

City Manager Recommendation Planning Commission recommends approval and it looks like a good use for this parcel of property.

Action Taken**Requested by** John Willis**File Attachments****Approved by Legal Department?****Approved in Budget? Amount:****Additional Comments**

Zone Change

PLANNING COMMISSION AGENDA REPORT: **05/12/2015** (Tabled)
PLANNING COMMISSION AGENDA REPORT: **05/26/2015**
CITY COUNCIL MEETING: **07/09/2015**

ZONE CHANGE

Cove at Little Valley

Case No. 2015-ZC-013

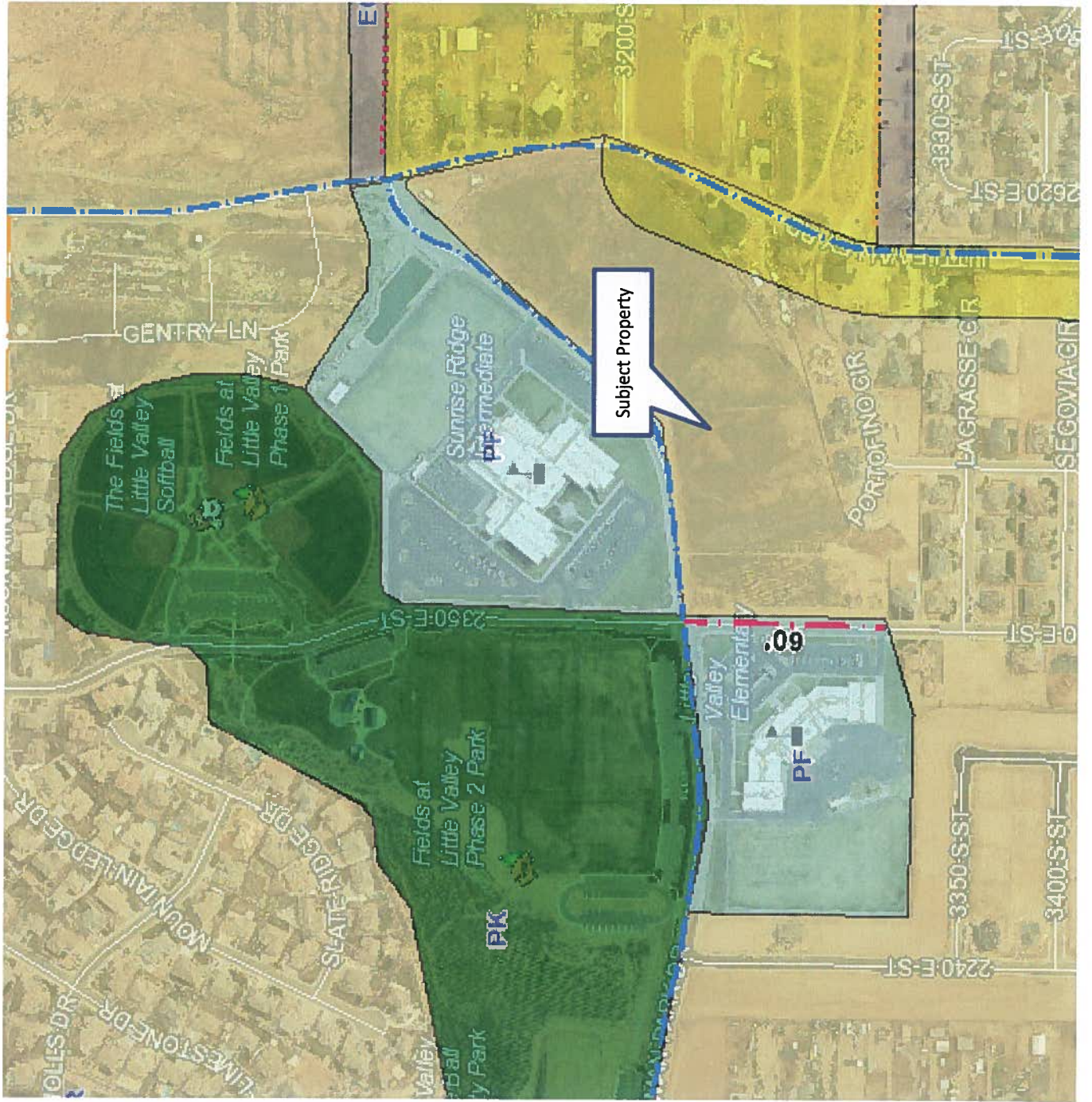
Request:	To rezone an approximately 11.50 acre parcel from RE-20 (Residential Estate 20,000 sq. ft. minimum lot size) to R-1-12 (Single Family Residential 12,000 sq. ft. minimum lot size). The property is located on the south side of Horseman Park Drive, and generally between Little Valley Road and 2350 East.
Applicant:	Sullivan Field LLC 558 E Riverside Dr Suite 102 St. George, Utah 84790
Representative:	Mr. Shaun Sullivan
Area:	13.36 acres
Current Zone(s):	RE-20 (Residential Estate 20,000 sq. ft. minimum lot size)
General Plan:	LDR - Low Density Residential (Up to 4 du/acre)
Density:	Up to 4.0 du/acre
Adjacent zones:	North: RE-20/RE-12.5 Sunrise Ridge Intermediate School East: A-1 Existing Residential South: R-1-12/RE-20 Existing Residential West: R-1-12 Vacant Property
Project:	This zone change, if approved would allow for the future submittal of residential subdivision plats.
Comments:	The proposed zone change is consistent with the General Plan Land Use Map and is adjacent to R-1-12 to the south and west. Staff finds that this change is in harmony with the current General Plan of this area and Staff recommends approval.
Planning Commission:	The applicant originally proposed a zone change for the entire property, which extended to Little Valley Road. After concerns were expressed by the neighbors, the applicant requested the item be tabled. The applicant modified the requested and maintained the current zoning along Little Valley Road. Planning Commission recommends approval.

PC June 9, 2015
2015-ZC-013
Cove At Little Valley

Sullivan Field LLC









SURVEY ERIE

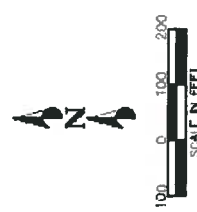
THE FOLLOWING IS A TRUE AND CORRECT COPY OF THE SURVEY ERIE AS THE SAME WAS FILED IN THE OFFICE OF THE SURVEYOR GENERAL OF THE STATE OF MARYLAND, ON THE 14TH DAY OF APRIL, 2013, IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEY ACT OF 1906, AS AMENDED.

BOUNDARY DESCRIPTION

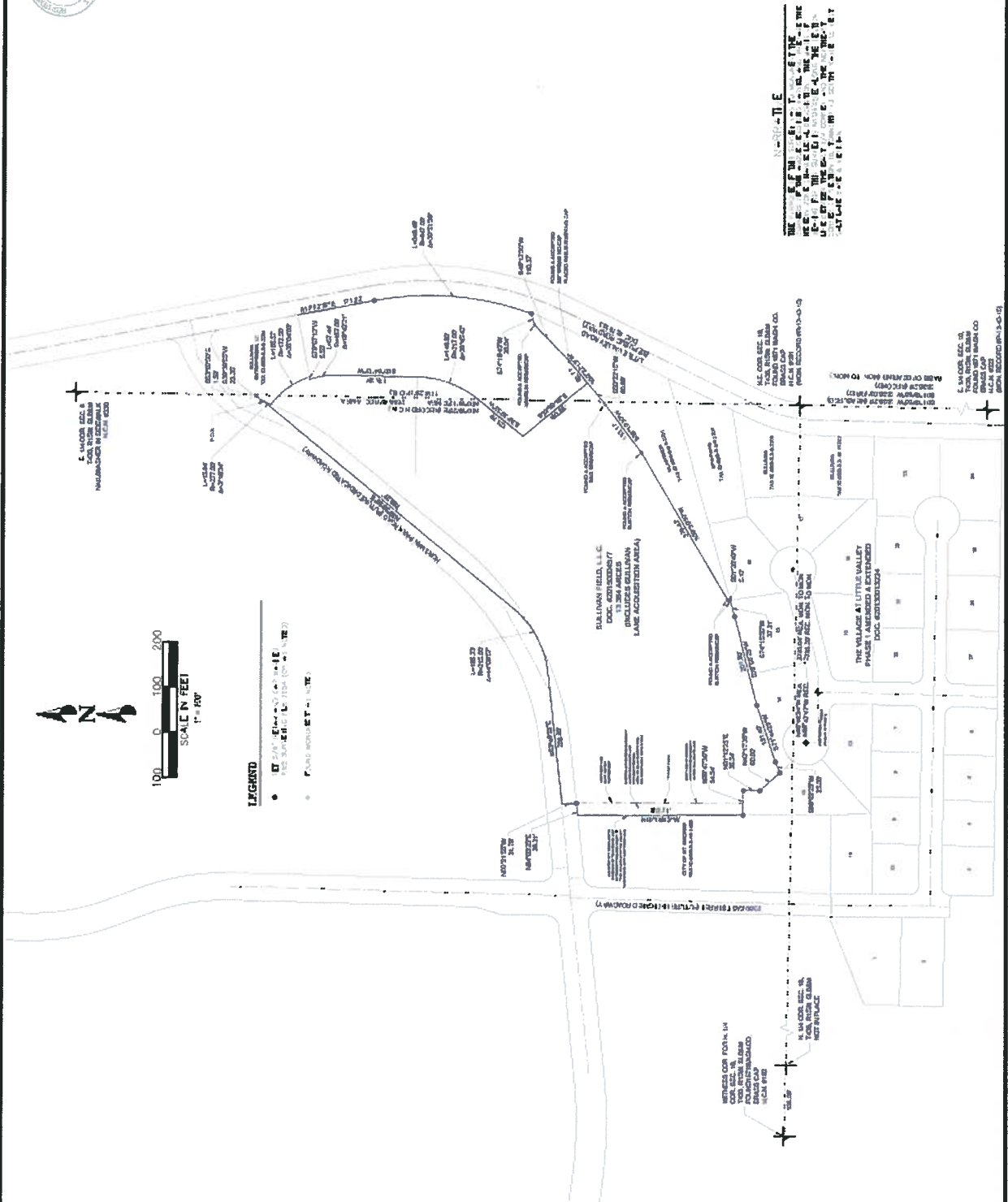
ALL THAT CERTAIN PARCELS OF LAND, TO-WIT: PARCELS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

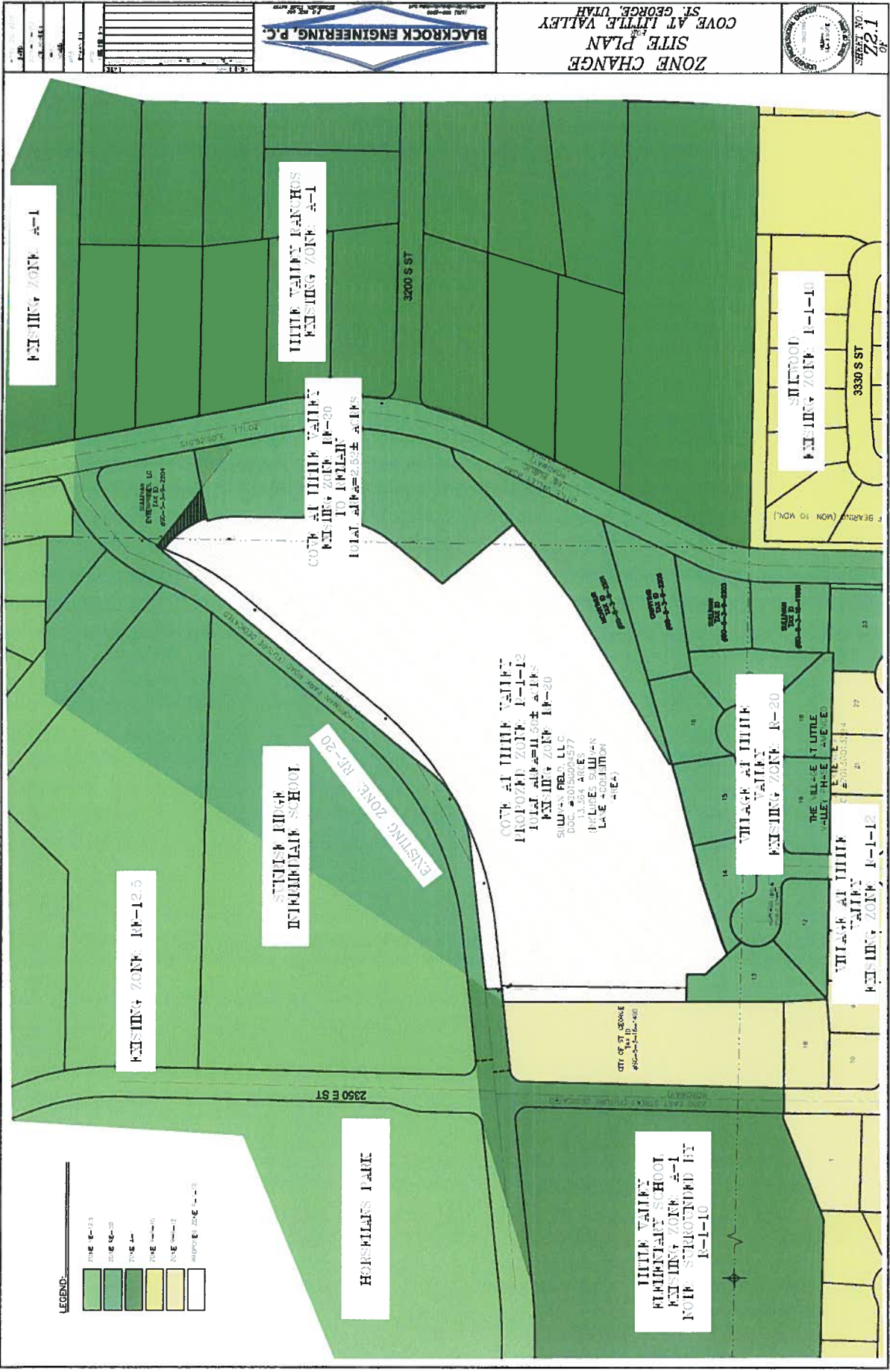
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RECORD OF SURVEY
FILED IN THE OFFICE OF THE SURVEYOR GENERAL OF THE STATE OF MARYLAND, ON THE 14TH DAY OF APRIL, 2013, IN ACCORDANCE WITH THE PROVISIONS OF THE SURVEY ACT OF 1906, AS AMENDED.



LEGEND
• SURVEY ERIE
• SURVEY ERIE
• SURVEY ERIE





LEGEND:



ZONE CHANGE
SITE PLAN
COVE AT LITTLE VALLEY
ST. GEORGE, UTAH







ZONE CHANGE
ALL ZONES (EXCEPT PD)
APPLICATION & CHECKLIST



APPLICATION FOR A ZONE CHANGE EXCEPT PD (PLANNED DEVELOPMENT)
 AS PROVIDED BY THE CITY OF ST. GEORGE ZONING ORDINANCE
 CITY OF ST. GEORGE, UTAH

I. PROPERTY OWNER(S) / APPLICANT & PROPERTY INFORMATION

LEGAL OWNER(S) OF SUBJECT PROPERTY: Sullivan Field LLC
Shaun Sullivan William M Papanikolas

MAILING ADDRESS: 558 E Riverside Dr Suite 102 St. George UT 84790

PHONE: [REDACTED] CELL: " FAX:

APPLICANT:
 (If different than owner)

MAILING ADDRESS:

PHONE: CELL: FAX:

EMAIL ADDRESS(ES): Shaun @ Sullivan-Homes.com

CONTACT PERSON / REPRESENTATIVE: Shaun Sullivan
 (i.e. Developer, Civil Engineer, Architect; if different than owner)

MAILING ADDRESS: 558 E Riverside Dr Suite 102

PHONE: [REDACTED] CELL: [REDACTED] FAX:

EMAIL ADDRESS(ES): [REDACTED]

A general description of the property location is as follows: (Give approx. street address, general location etc., and attach a vicinity map or property plat showing the subject property and the surrounding areas.) Include a site plan suitable for presentations in public meetings.

South of Harrison Parkway Dr. North of the Village @ Little Valley,
West of Little Valley Dr. East of 2250 East.

The Zone Change becomes effective on the hearing date if approved by the City Council.

***NOTE: NO FEE FOR ACREAGE REZONED TO OPEN SPACE.**

OFFICE STAFF USE ONLY

CASE #: 20 -ZC- FILING DATE: RECEIVED BY: RECIEPT #:

*FEE: \$500 (Filing fee and 1st acre) + \$50.00 per ac for 2-100 ac and \$25 per ac 101-500 and \$10.00 per ac 501-plus

II. ADDITIONAL INFORMATION

Provide the following information: (Attach additional sheets if necessary)

1. What is the present zoning on the property? PE-20
2. What zone or zones are requested by this application? P-1-12
3. Is the zone change in harmony with the present City General Plan? Yes X No _____
4. If no, what does the City General Plan propose for the subject property? NA
(If the application is not in harmony with the City General Plan, a General Plan Amendment hearing will be required prior to the zone change request. General Plan Amendment hearings are held four (4) times per year in January, April, July, and October. A General Plan Amendment application can be obtained from the Community Development Department or online at <http://www.sgcity.org/commdev/forms.php>)
5. Total acreage of proposed zone change: 13.36 ± Acres
6. Are there deed restrictions against the property that might affect the requested zone change?
Yes _____ No X
A copy of the deed restrictions, if any, may be submitted in support of the application and shall be submitted if contrary to the request zone change.
7. Has a Traffic Impact Study or Traffic Analysis been completed to determine any traffic impacts?
Yes _____ No X
*IF YES, submit the Traffic Impact Study with the application for review by Traffic Engineering.
IF NO, a Traffic Impact Study will be required (if determined necessary at Planning Staff Review) to be submitted with the application and reviewed prior to approval by the City Council.*
8. Is the necessary utility capacity available (water, power, sewer and drainage) to serve the zone change parcel? Yes X No _____
Please describe the projected demand for utility services: _____
Water, Power, Sewer and Drainage adequate to meet
the future need of any project, are available on
horse man park Drive.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE CITY ZONING MAP BY CHANGING THE ZONE FROM
RE-20 TO R-1-12 TO R-1-8 ON 11.50 ACRES**

WHEREAS, the property owner has requested a zone change on 11.50 acres from RE-20 (Residential Estate 20,000 sq. ft. minimum lot size) to R-1-12 (Single Family Residential 12,000 sq. ft. minimum lot size).; and

WHEREAS, the City Council held a public hearing on this request on July 9, 2015; and

WHEREAS, the Planning Commission recommends approval of the requested zone change; and

WHEREAS, the City Council has determined that the requested change to the Zoning Map is justified at this time and is in the best interest of the health, safety, and welfare of the citizens of the City of St. George.

NOW, THEREFORE, BE IT ORDAINED, by the St. George City Council, as follows:

Section 1. Repealer. Any provision of the St. George City Code found to be in conflict with this ordinance is hereby repealed.

Section 2. Enactment. The City Zoning Map is hereby ordered to be changed to reflect the zone change from RE-20 to R-1-12 on 11.50 acres generally located on the south side of Horseman Park Drive, and generally between Little Valley Road and 2350 East, and more specifically described on the attached property legal description, Exhibit "A".

Section 3. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, the remainder shall not be affected thereby.

Section 4. Effective Date. This Ordinance shall take effect immediately upon posting in the manner required by law.

APPROVED AND ADOPTED by the City Council of the City of St. George, this 9th day of July, 2015.

Jonathan T. Pike, Mayor

ATTEST:

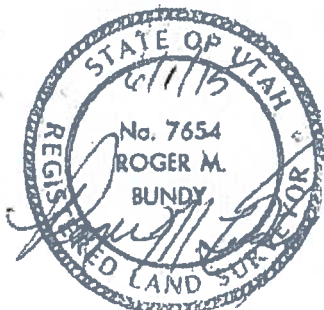
Christina Fernandez, City Recorder

Exhibit "A"

THE COVE ZONE CHANGE - R1-12 ZONE BOUNDARY DESCRIPTION:

A PARCEL LOCATED IN SECTIONS 9 AND 10, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT N0°54'13"E, 1194.25 FEET ALONG THE SECTION LINE AND S39°39'55"W, 23.35 FEET FROM THE SOUTHEAST CORNER OF SECTION 9, TOWNSHIP 43 SOUTH, RANGE 15 WEST, SALT LAKE BASE AND MERIDIAN, RUNNING THENCE S53°02'50"E, 1.58 FEET TO THE POINT OF CURVE OF A 277.00 FOOT RADIUS CURVE TO THE LEFT, RADIUS POINT BEARS S61°04'31"E; THENCE SOUTHWESTERLY 15.84 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 3°16'34" TO THE POINT OF CURVE OF A 172.50 FOOT RADIUS REVERSE CURVE, RADIUS POINT BEARS S36°23'07"W; THENCE SOUTHEASTERLY 105.57 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 35°04'00"; THENCE S79°07'10"W, 5.55 FEET TO THE POINT OF CURVE OF A 167.00 FOOT RADIUS CURVE TO THE RIGHT, RADIUS POINT BEARS S71°11'52"W; THENCE SOUTHEASTERLY 57.44 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 19°42'21"; THENCE S0°54'13"W, 178.33 FEET TO THE POINT OF CURVE OF A 217.00 FOOT RADIUS CURVE TO THE RIGHT, RADIUS POINT BEARS N89°05'47"W; THENCE SOUTHWESTERLY 146.80 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 38°45'42"; THENCE S39°39'55"W, 125.79 FEET; THENCE S39°59'18"E, 183.55 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF WASHINGTON COUNTY ASSESSOR TAX PARCEL NO. SG-5-3-9-2201; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID TAX PARCEL NO. SG-5-3-9-2201 THE FOLLOWING FOUR (4) COURSES: S50°22'15"W, 60.66 FEET; THENCE S53°10'30"W, 133.17 FEET; THENCE S59°30'50"W, 376.42 FEET; THENCE S1°26'40"W, 5.12 FEET TO A POINT ON THE NORTHERLY BOUNDARY OF "THE VILLAGE AT LITTLE VALLEY PHASE 1 AMENDED AND EXTENDED FILED AS DOCUMENT NO. 20130013224; THENCE ALONG SAID BOUNDARY THE FOLLOWING SEVEN (7) COURSES: S74°15'55"W, 37.21 FEET; THENCE S76°05'25"W, 201.50 FEET; THENCE S71°44'25"W, 131.40 FEET; THENCE S66°02'25"W, 25.00 FEET; THENCE N42°17'35"W, 60.00 FEET; THENCE N1°12'25"E, 35.54 FEET; THENCE N88°47'35"W, 54.54 FEET; THENCE LEAVING SAID BOUNDARY RUNNING N0°08'43"W, 362.71 FEET; THENCE N84°03'25"E, 26.31 FEET; THENCE N0°21'55"W, 31.79 FEET; THENCE N83°49'55"E, 288.95 FEET TO THE POINT OF CURVE OF A 215.00 FOOT RADIUS CURVE TO THE LEFT; THENCE NORTHEASTERLY 165.73 FEET ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 44°09'57"; THENCE N39°39'55"E, 709.27 FEET TO THE POINT OF BEGINNING. CONTAINING 11.50 ACRES MORE OR LESS.



DRAFTAgenda Item Number : **6A**

Request For Council Action

Date Submitted 2015-06-10 09:35:16**Applicant** Bobbi Wan-kier**Quick Title** æœArts to Zionœ St George Art and Studio Tours**Subject** Consideration of a request to expand the St George Art and Studio Tour(s) to include monthly æœHUBœ Art and Studio Tour(s) throughout the calendar year, beginning in September of 2015.**Discussion** The St George Art Studio Tour is planned to be held on the 3rd weekend of the month, starting on Thursday, September 17 at 3:00 pm. The applicant is requesting to use directional signage on an ongoing monthly basis, with the intent to provide the planning/zoning staff with details for sign locations and to receive approvals prior to each event.**Cost** \$0.00**City Manager Recommendation** I have not seen this proposal or discussed it prior to this item being placed on the agenda so I do not have a recommendation or additional information at this time.**Action Taken** tabled**Requested by** Bill Swensen**File Attachments** St George Art and Studio Tour CC .pdf**Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments****Attachments** St George Art and Studio Tour CC .pdf

FOR OFFICE USE ONLY

Insurance Received:	Date Received:
Application Fee Paid	Date Paid:



SPECIAL EVENT PERMIT APPLICATION CITY OF ST. GEORGE

City of St. George Special Events
175 E. 200 North
St. George, UT 84770

Phone: (435) 627-4128
Fax: (435) 627-4430
bill.swensen@sgcity.org

Business Use Only

EVENT NAME: ('Arts to Zion" promoted) St. George Art and Studio Tour(s)

Applicant's Name: Bobbi Wan-kier

Organization: "Arts to Zion" Art and Studio Tour (2015/2016- fiscally sponsored by Silver Reef Foundation)

Mailing Address: P.O. Box 461176

City, State, Zip: Leeds, UT 84746

Day Phone: 435.216.2651

Cell/other: 435.216.2651

E-mail: wcaz@live.com

Event Web Address (if applicable): www.ArtstoZion.com

Alternate contact name: Alisha Burton

Day Phone: 435.669.1855 cell

Cell/other: Becky Cox 435.680.9699 cell

E-mail: metolman@gmail.com / cox@infowest.com

EVENT DETAILS *(Complete additional event details on page 3 of this form)*

LOCATION Historic Downtown Art District/ City Parks, and including residential home studios.

Location Details/Address: City of St George including residential neighborhoods

Event	Date(s): Starting in Sept. 2015	Start time:	End time:
Set-up	Date(s): 3rd Thursday afternoon	Start time: 3:00pm	End time:
Clean-up	Date(s): 3rd Saturday night	Start time:	End time: 9:00pm

Is this a recurring event? YES

If yes; daily, weekly or other? Monthly- 3rd weekend

Is this a Annual Event? YES

If yes; Same date and Place? 3rd weekend- Martin Luther King

TYPE OF ACTIVITY *check all that apply:*

- | | | | |
|--|---------------------------------------|--|-----------------------------------|
| <input type="checkbox"/> Sporting | <input type="checkbox"/> 5K | <input type="checkbox"/> Parade | <input type="checkbox"/> Festival |
| <input type="checkbox"/> Film Production | <input type="checkbox"/> Vendor Booth | <input type="checkbox"/> Cycling | <input type="checkbox"/> 10K |
| <input type="checkbox"/> Dance | <input type="checkbox"/> Block Party | <input type="checkbox"/> Outdoors Sales | <input type="checkbox"/> Training |
| <input type="checkbox"/> Fun Run | <input type="checkbox"/> ½ Marathon | <input checked="" type="checkbox"/> Other: | |

PARTICIPANTS

Number of participants expected:

Number of volunteers/event staff:

☒ Open to the Public

☐ Private Group/Party

If event is open to the public, is it: ☒ Entrance Fee/Ticketed Event?

☐ Fee for Participants/
Racers/Runners Only

\$3.00 ea. for home studios only (Tickets sold at galleries on the Arts to Zion map.)

SPECIAL EVENT PERMIT APPLICATION

EVENT _____ -

Page 2 of 5

(Arts to Zion" promoted) St George Art and Studio TOUR(s)

VENDORS/FOOD/ALCOHOL *check all that apply*

☒ Vendors/merchants Quantity: Drawing prizes for evaluation purposes

☒ Vendors *giving* away products/services

☐ Vendors *selling* products/food

☐ Food

SW Utah Health Dept., (435) 986-2580

☐ given away

☐ catered by restaurants/vendors

☐ prepared on site

☐ Alcoholic Beverages

Utah DABC, (801) 977-6800

☐ beer stands

☐ fenced in beer garden

☐ liquor sales

Bus. Licensing, (435) 627-4740

TENTS/STAGES/STRUCTURES *(include details on site map)*

☐ Tents/Pop-up Canopies

Amount:

SG Fire Dept. (435) 627- 4150

Dimensions:

☐ Temporary Stage

Dimensions:

Description of Tents/Canopies/Stage, etc.:

SITE SETUP/SOUND *check all that apply (please include details on site map)*

☐ Fencing/Scaffolding

☐ Barricades

(must obtain privately)

☐ Portable Sanitary Units

(must obtain privately)

☒ Music *if yes, check all that apply*

☒ Acoustic

☐ Amplified

In select gallery/studio locations

☐ PA/Audio system

Type/Description:

☐ Fireworks / Fire Performances / Open Flame

SG Fire Dept. (435) 627- 4150

☐ Propane/Gas on site

SG Fire Dept. (435) 627- 4150

☐ Trash/Recycle bin coordination on site

WCSW, (435) 673-2813

ROAD & SIDEWALK USE (ENCROACHMENT PERMITS) *You may begin to coordinate in advance with these contacts*

☒ Road Use

Location: Directional Signage
(please include details on site map)

SG City Public Works Dept.,
(435) 627-4050

☐ Sidewalk Use

Location:

(please include details on site map)

☐ Will stay on sidewalks and
follow pedestrian laws

☐ Parade

of Floats:

SECURITY/OTHER

You may begin to coordinate in advance with these contacts:

☐ Private Security/Officers

Company name:

of Personnel:

☐ Animals

Quantity:

What kind:

☒ Drawing or Raffle Purpose to evaluate tour -Free

SG City Legal Dept. Diana Hamblin, (435) 627-4606

☐ Motion Pictures/Videos

☐ Other:

My signature verifies that I have completed this application to the best of my knowledge and I am aware that I am responsible for paying for City services beyond "basic City services" (if applicable to my event).

Bobbi Wan-kier

6/9/15

Print Applicant's Name

Applicant's Signature

Date

☐ Please do NOT include my event on the City Event Calendar Website

SPECIAL EVENT PERMIT APPLICATION

EVENT _____ -

Page 3 of 5

(Arts to Zion" promoted) St George Art and Studio TOUR(s)

EVENT DESCRIPTION

PLEASE DESCRIBE YOUR EVENT IN DETAIL ADD ANY ADDITIONAL INFORMATION OR PAGES

- *Please be sure to include any elements of your event that will help our review committee.*

The "Arts to Zion" Art and Studio TOUR is expanding to include monthly "HUB" Art and Studio TOUR(s) throughout the calendar year, beginning in September of 2015.

The St George Art and Studio Tour is planned to be held on the 3rd weekend of the month, starting on Thursday afternoon at 3:00pm. It will be anchored by the DiFiore Center for a student exhibition, 3rd Thursday evening Art Conversations at the St George Art Museum, Art on Main Gallery Stroll on Friday evening, and Plein Air events at Historic buildings and in parks within the City of St George on the Saturday of the weekend. On Friday and Saturday from 10-3pm selected home studios and out of the way galleries in St George will be on the TOUR, and this is the reason for the residential directional signage that we are asking for with this permit.

All of the signage will correspond to the Arts to Zion brochures, and the Arts to Zion Google map.

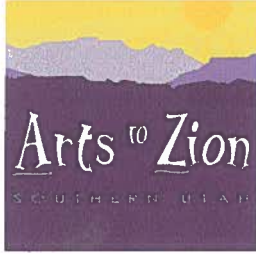
We are requesting the use of our directional signage on an ongoing monthly basis, with the intent to provide the planning/zoning staff with the details for the sign locations each month prior to the event for approval.

We will request an additional special event permit in January, for the additional signage and banners necessary for the annual county-wide "Arts to Zion" Art and Studio TOUR.

Thank you for all of your support of our St George Art Community,
and my project, the "Arts to Zion" Art and Studio TOUR !!

Bobbi Wan-kier

435.216.2651



Arts to Zion, L3C (fiscally sponsored 2015/2016 by **Silver Reef Foundation** 501c3)
P.O. Box 1175
St George, UT 84771
435.216.2651

July 1st, 2015

Request by Bobbi Wan-kier with Arts to Zion for consideration of directional signage for a monthly St. George "Art and Studio Tour" the 3rd weekend of each month, September thru June.

The St George Art and Studio Tour will consolidate the existing DiFiore Center/DSU student exhibitions, St. George Art Museum 3rd Thursday Art Conversations, the Art On Main Friday Gallery Stroll, and Saturday "plein air" painting events, and will include and promote art studios and venues on **and off** Main Street in St. George, hence the need for directional signage.

The St. George "Art and Studio Tour" will be part of a county-wide collaborative marketing effort spearheaded by Arts to Zion, an arts advocacy and marketing organization in Washington County. Monthly Tours will be held in each of four "HUB" locations:

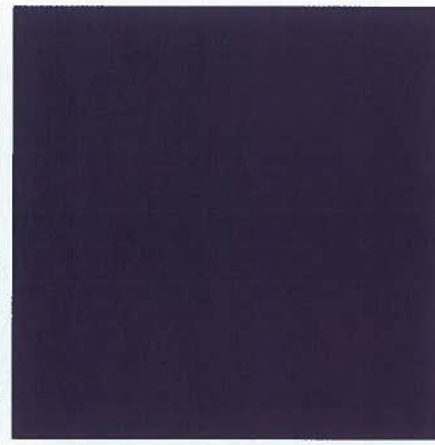
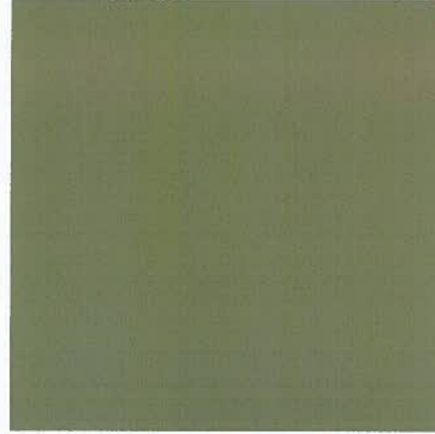
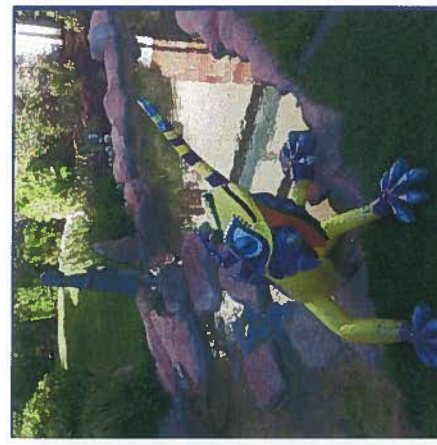
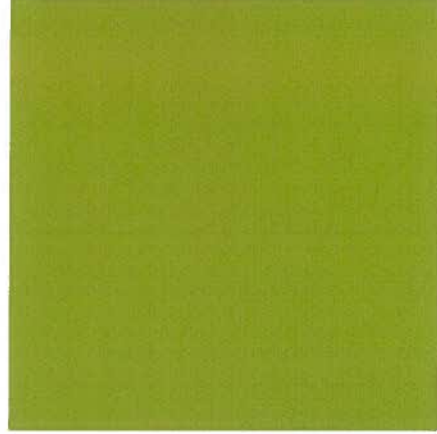
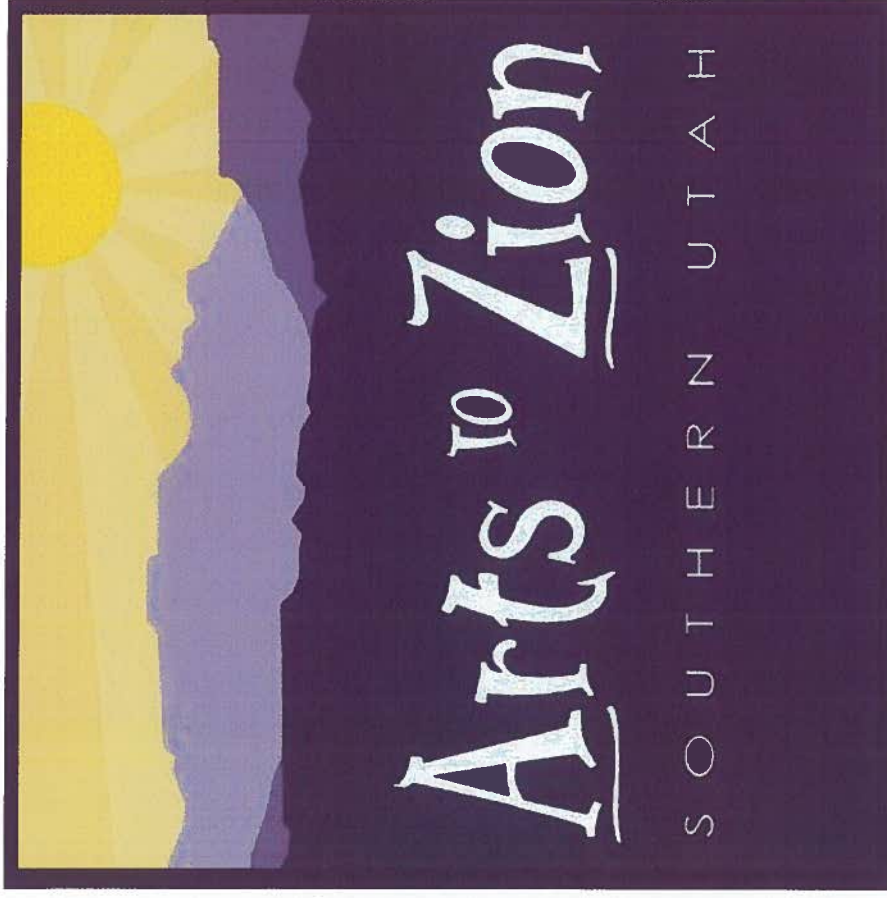
Kayenta, Ivins, Santa Clara (1st week),
Springdale, Zion Corridor (2nd week),
Downtown St. George and surrounding community (3rd week), and
Hurricane Valley, Leeds/Silver Reef (4th week).

Arts to Zion also produces and promotes the county-wide "Arts to Zion" Art and Studio Tour annually in January.

Arts to Zion requests permission to work closely with City of St George planning/zoning staff for approval of directional signage for each monthly St. George "Art and Studio Tour".

Respectfully Submitted,

Bobbi Wan-kier
Founder/coordinator, Arts to Zion
435.216.2651



**“Arts to Zion”
“Art and Studio Tours”
Washington County, Utah**

Marketing and Programs Plan
Presented to the St. George City Council
09 July 2015



“Arts to Zion” Art and Studio TOUR

Recap 4th Annual TOUR January 15-19, 2015

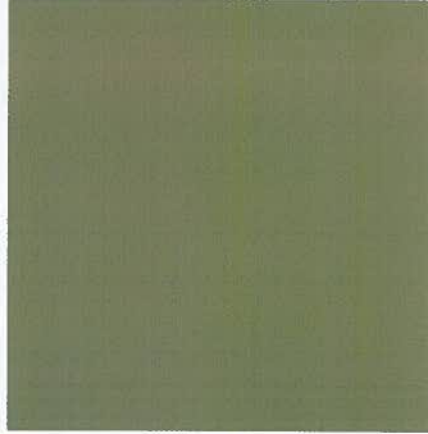
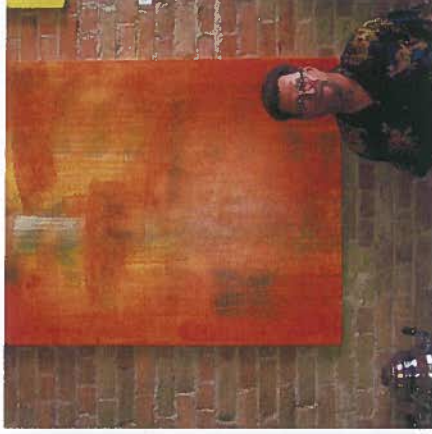
This Year’s Success:

64 Participating Artists

23 Galleries

1,500+ Visitors per day

**VIP special art events in each of 4 “HUBS”
\$65,000+ art sales in our TOUR galleries
TOUR quadrupled in size since first year.**





Enhancements we made for the “Arts to Zion” “Art and Studio TOUR” January 15-19th, 2015

Month long presence in January for “Art and Studio TOUR” silent auction at the St George Chamber of Commerce

Opening night reception at St George Main street Galleries for VIPs

Student exhibition at DiFiore and DSU

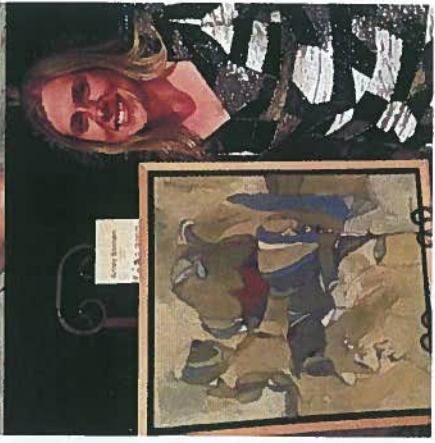
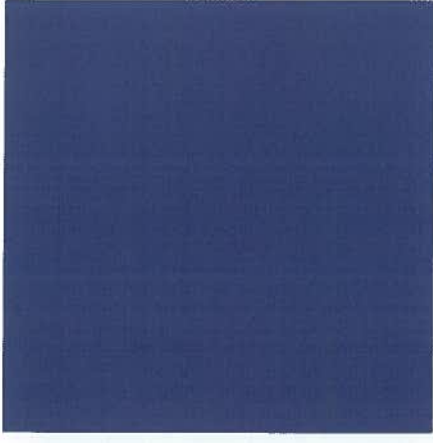
Map, sponsors, and schedule were displayed in every gallery

Public gallery strolls were held in each HUB:

- Friday night in St. George
- Saturday night in Springdale
- Sunday in Kayenta

Book signing/plein air invitational concluded TOUR in Leeds/Silver Reef

Group rates were available with at least four hotels



Major Online Presence: January 2015

24,500 Google Map Views between Nov. 2014-Jan. 2015

1,691 Facebook Fans

450,000 impressions in 2 months

6% engagement rate

1/2 outside Washington County

1/3 outside of Utah

Interaction from all 50 states and more than 30 countries

Females ages 35-65

Requests from local arts leaders to use Arts to Zion for promotional purposes, e.g. Maynard Dixon home and gallery owners in Cedar City.

The screenshot shows the Facebook page for "Arts to Zion" Artists Studio Tour/ Washington County, Utah. The page has a cover photo of a woman looking at a painting and a profile picture of a woman. The page is divided into several sections: PEOPLE, ABOUT, APPS, and PHOTOS. The PEOPLE section shows 1,185 likes and a post by Charlie Stoddard, Robert Benson, and 23 other friends. The ABOUT section includes a description of the tour, a link to the tour map, and a link to the website. The APPS section has a link to the website. The PHOTOS section shows a photo of a woman. The page also has a timeline of posts, including a video of a tour, a post about a sneak peek into the studio, and a post about a tour map.

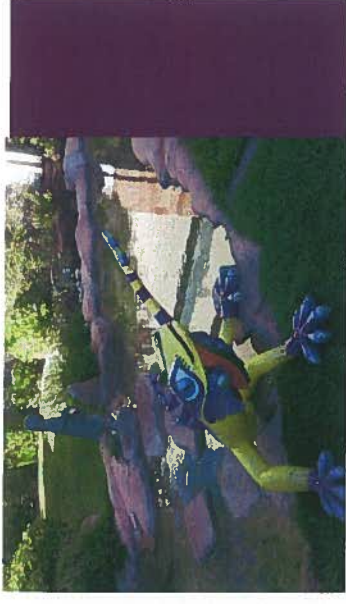
+ Targeted Marketing: Art Patrons



- Advertise “Arts to Zion” to collectors through online sources and fine arts publications, last year: *Plein Air Magazine*, *Southwest Art*, *Western Art Collector*, *Salt Lake Magazine*, *Desert Companion*, *13 Bytes*, *UPR Radio* and “Arts to Zion”/Southern Utah social media.
- Position the “Art and Studio Tours” as a premier collectors’ events
- Place editorial content in regional arts digests
- Design programming to appeal to arts patrons



Transition of “Arts to Zion” from
Countywide Change Leader project/ Event to
L3c Arts Organizations to
501c3 Art Advocacy/Marketing Organization.



“Arts to Zion” Artists Studio Tour

Jan. MLK 2011-2014

Fiscally sponsored by:

Washington County Arts Council 2012, 2013

“Arts to Zion” L3c

Jan. MLK 2015

Fiscally sponsored by SUAG 2015

Silver Reef Foundation June 2015/2016

“Art and Studio Tour” L3c

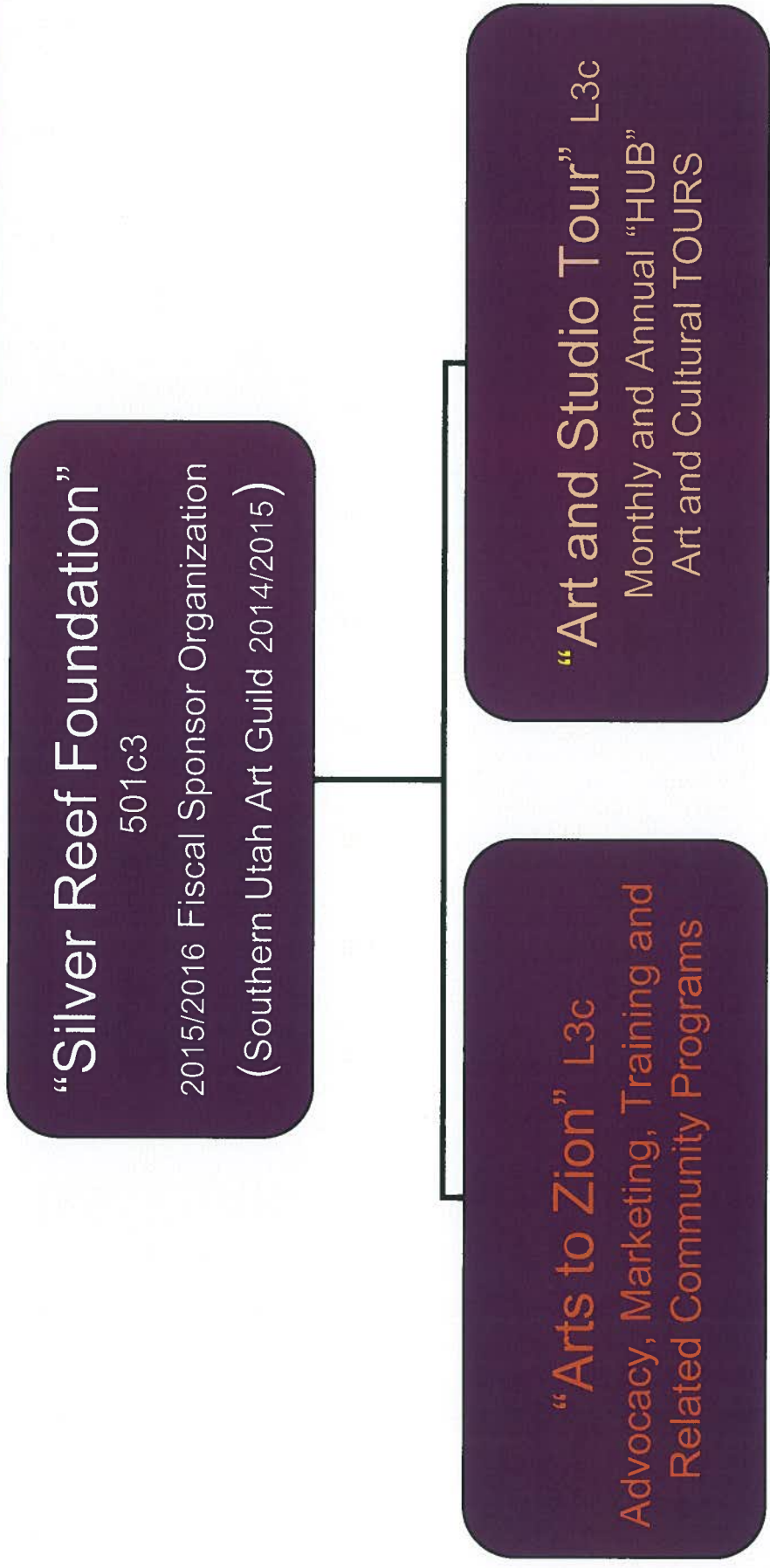
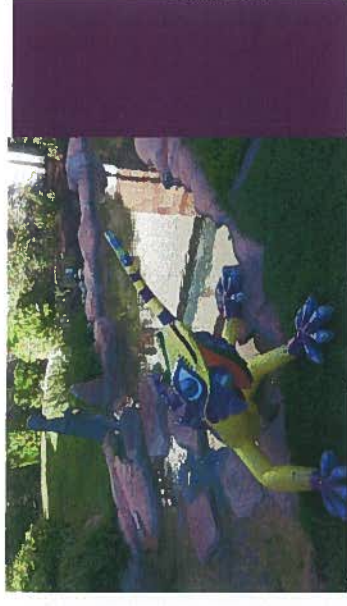
Jan. MLK 2015

Fiscally sponsored by SUAG 2015

Silver Reef Foundation June 2015/2016

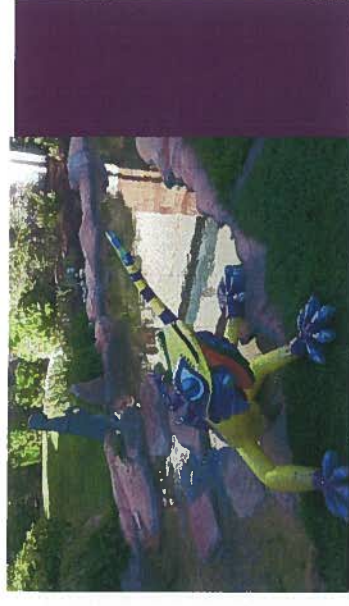


Transition of “Arts to Zion” from
Countywide Change Leader project/ Event to
L3c Arts Organizations to
501 c3 Arts Organization.





Transition of “Arts to Zion” from
Countywide Change Leader project/ Event to
L3c Arts Organizations to
501c3 Arts Organization.



“Arts to Zion”

501c3

Organization

(Projected June 2016)

“Arts to Zion”^{L3c}

Advocacy, Marketing, Training and
Related Community Programs

“Art and Studio Tour”^{L3c}

Monthly and Annual “HUB”
Art and Cultural TOURS



St George "Art and Studio TOUR" 3rd Thursday-Saturday September 2015 - June 2016

St George "Art and Studio Tour" Friday 10-3pm /Saturday 10am-3pm (*Map, sponsors, and schedule displayed in every gallery and studio location*)

DiFiore and DSU - Student exhibitions – during "Art and Studio Tour"
Red Cliff Gallery and Electric Theater art shows - during "Art and Studio Tour"

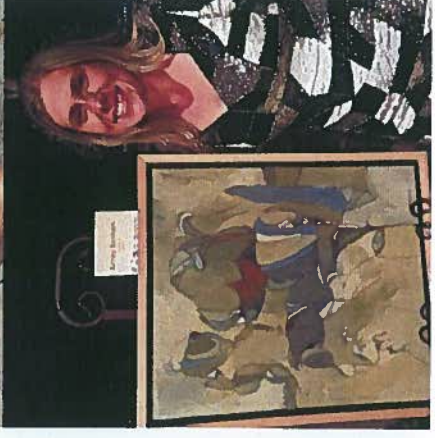
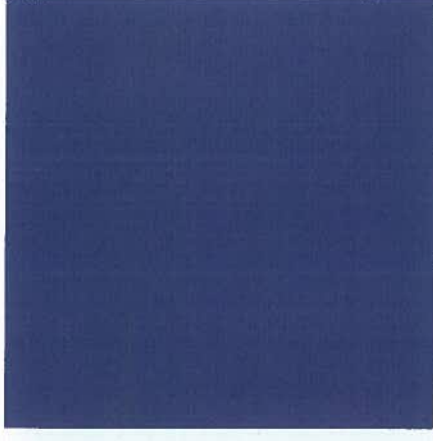
"3rd Thursday Art Conversations" STG Art Museum -7 pm

"Art on Main" 3rd Friday Gallery Stroll on Friday 6- 9 pm

"Art around the Corner" guided tours on Saturday 10am-3pm (starting at the Electric Theater.)

(Future Saturday plein air events 10am-3pm during the St George "Art and Studio Tour" based out of the Electric theater are in the planning stages.)

Group rates for participating out of town artists with at least four hotels



+ Projected Attendance and Revenues for St George “Art and Studio Tours” 2015/2016

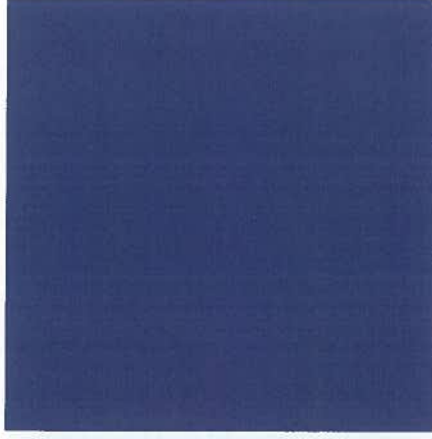
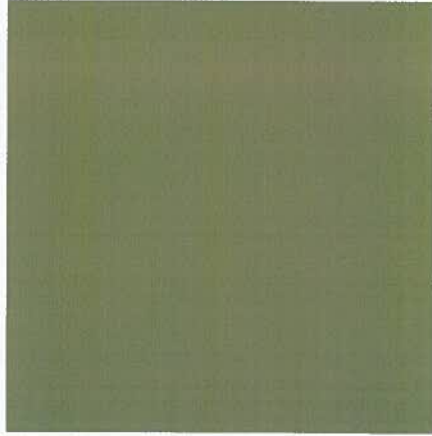
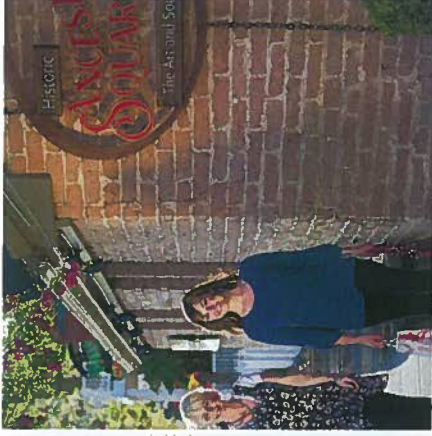
(*based on out of town visitors for annual
“Arts to Zion” TOUR)

12,000 Visitors to St George Art Venues

\$260,000 *Hotel Revenue in St George

\$475,000 *Restaurant Revenue in St George

\$400,000 in St George Art Sales



Our Request:

We would like to request the following from St George City Council at this time:

The permission to use our directional signage to direct traffic to the studios and off Main street galleries/venues on the 3rd weekend of the month Sept. 2015-June 2016.

We will work closely with St George City staff on the location and duration of display regarding each of these directional signs.

Schedule a work meeting with St George City Council to receive input from the Council on how to proceed with promotion and programming of our St George "Art and Studio Tours in the Downtown Arts District and surrounding St George neighborhoods.



DRAFTAgenda Item Number : **6B**

Request For Council Action

Date Submitted 2015-06-30 09:34:51**Applicant** Rich Stehmeier**Quick Title** Request to Change SG Airport Name**Subject** Request to change the name of the St. George Municipal Airport to the St. George Regional Airport.**Discussion** There would be a cost to change the airport name on the entrance sign and also the main terminal sign - one estimate received from a contractor was at \$7,000.**Cost** \$estimated between \$7,000 and \$9,000**City Manager Recommendation** I am not convinced changing the name will result in enough benefit to warrant all the necessary changes. It still is a City airport as we have all the financial responsibility. I am not in favor of changing it just to change it at this time.**Action Taken****Requested by** Cameron Cutler**File Attachments****Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments**

DRAFTAgenda Item Number : **6C**

Request For Council Action

Date Submitted 2015-06-29 14:03:27**Applicant** H&B Deli**Quick Title** Airport Food Service Proposal**Subject** Proposal from H&B to provide food services at the SG Airport.

Discussion The attached business proposal, business plan, and menu from Betsaida Rivas outlines Mrs. Rivas idea of bringing food services to the airport. The Airport Advisory Board recommended approval of the proposal. Per the business proposal, the City would pay the costs of building the necessary improvements including purchasing of major appliances - this cost is estimated at \$50,000. H&B would invest an estimated \$20,000 into additional incidental items specific to the H&B Deli.

Cost \$50,000

City Manager Recommendation We do not have any funds allocated that I am aware of to pay the requested \$ to make these necessary improvements. Not sure the return to the City warrants the investment.

Action Taken**Requested by** Cameron Cutler**File Attachments** H&B Business Proposal and Plan.pdf**Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments****Attachments** H&B Business Proposal and Plan.pdf

H&B Deli
Airport Food Service Proposal

H & B Deli

St George City

Space Rental
(Includes Space and Utilities)

\$ 250 per month
for Year 1.

\$ 500 per month when sales
reach \$ 10,000 per month for
3 consecutive months

% of Gross Sales

10% of gross sales after first
\$10,000 per month

Space Buildout (Fit to Airport Design)

St George City. First
Bid was Westland
Construction ~ \$50,000.

Equipment for Space owned by City
(Fridges, tables, display cases, etc.)

See Space Buildout

Incidentals (Microwave, cash register,
Coffee maker, etc.)

Paid by H&B. Items that
are personal to H&B needs
beyond basics. ~ \$20,000.

Store Inventory

Food for store, magazines,
Books, etc.

Benefit to City & Airport
(Rent & % of Gross based on Forecast)

\$40,000 to \$53,000

(Breakeven)

\$250,000

St George SBDC
Dixie State University
1071 East 100 South C-7
St. George, UT 84770

H&B Delicatessen

Beverages:

- | | |
|--|--------|
| • Soft Drinks (Pepsi Product) | \$2.99 |
| • Juice (Apple, Orange, Cranberry, etc.) | \$2.99 |
| • Water Bottle (Arrowhead, Nestle, Fiji) | \$1.99 |
| • Hot Beverages (Coffee, Tea, Hot Chocolate) | \$3.95 |
| • Smoothie | |



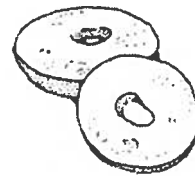
Pastries:

- | | |
|--|--------|
| • Muffin (Chocolate, Blueberry, Poppyseed, etc.) | \$2.50 |
| • Cookie (Choc. Chip, Sugar, Oatmeal, etc) | \$2.25 |
| • Brownie | \$2.99 |
| • Pound Cake | \$3.50 |
| • Cinnamon Roll | \$2.99 |
| • Croissant with honey-butter and jam | \$2.50 |



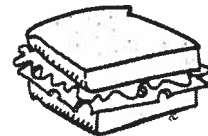
Breakfast:

- | | |
|---|--------|
| • Croissant Sandwich (Egg, Cheese, Ham, etc.) | \$7.99 |
| • Hot Sandwich (Egg, Cheese, Sausage, Bacon) | \$7.99 |
| • Bagel (Ham and Cheese or Cream Cheese) | \$6.99 |
| • Yogurt (Plain, Strawberry, Blueberry, etc.) | \$1.99 |
| • Oatmeal (To go) | \$1.99 |



Lunch:

- | | |
|---|--------|
| • Cold Sandwich (Ham, Turkey, Cheese, etc.) | \$7.99 |
| • Hot Sandwich (Beef, Turkey, Cheese, etc.) | \$7.99 |
| • Croissant (Ham, Turkey Cheese, etc.) | \$7.99 |
| • Wraps (Chicken, Veggie, etc.) | \$7.99 |
| • Soup (In a cup) | \$4.99 |



A la-carte:

- | | |
|--|--------|
| • Fruit Assortment | \$0.99 |
| • Granola Bars (Kashi, Nature Valley, Protein, etc.) | \$1.49 |
| • Chips | \$1.50 |
| • Snack bags | \$1.99 |
| • Nuts | \$0.99 |
| • Chocolates or treats | \$1.49 |



BUSINESS PLAN

EXECUTIVE SUMMARY

The H&B delicatessen is an eating establishment offering convenient, healthy, quickly-prepared food to the St. George Airport area.

The Café will be a deli, specializing in a combination hot and cold sandwiches, hot and cold beverages, fresh coffee, and fresh pastries. The Café will also sell various magazines, newspapers and local souvenirs.

The H&B Delicatessen is conveniently located inside the St. George Municipal Airport, between the main Airport entrance and the Rental car stalls. This provides an excellent location with easy access to all travelers, airport employees and numerous airport visitors/welcoming parties.

We have four main markets:

- (1.) Airline passengers that pass through the terminal
- (2.) Family and friends that are dropping off and picking up passengers
- (3.) Airport employees
- (4.) Private Airport patrons, and Bikers.

The keys to success for The H&B delicatessen will be excellent customer service, quality products, and a delicious menu. We want to ensure customer awareness and loyalty as well as good publicity and media support.

The company will be an LLC, owned by Mr. Holmidis Valero and Mrs. Betsaida Rivas. We will be providing \$30,000 in capital investment from our Savings Account. Holmidis Valero will only be an investor, Betsaida Rivas, as General Manager.

Additional investment and operational support will be provided by David Valero and Carlos Rivas.

Entering this market will provide initial challenges. In order to overcome these issues, the company has acquired an excellent location at the airport and seeks to provide customers with multiple services. We endeavor to create the greatest sales volume during the Airport's peak hours of operation – (5am-5pm)

Keys to Success

Marketing- Every customer who deals with our business should want to return and recommend us. Word-of-mouth marketing will be a powerful tool.

Location- Convenience is essential, because no other food places are nearby.

Service- We are using high quality food, and quickly delivering it in a comfortable environment. The customer experience will suffer if service is not of the highest standard. Each member of the staff will be courteous, efficient, and attentive.

Management- We will maintain good management on various food, beverage, and labor costs. Our inventory is maintained by a dedicated inventory system, and quality control is critical.

Mission:

Provide customers the finest quality food and customer service. Our unique menu will allow us to charge slightly more than places outside of the airport, thereby returning a fair profit.

Objectives:

1. Provide the best customer service.
2. Implement new products and ideas based on customer feedback and requests. Include local favorites and products where possible.
3. Provide an income for the owner/manager/employee in operating the best strategic way to grow the business.
4. Increase sales on an annual basis.

5. Repay debt of original financing.

Company Summary

The H&B Delicatessen is a Family business located inside the St. George Airport. Owners Betsaida Rivas and Holmidis Valero are opening a cafe and bakery in response to the limited number of eating places located in the St. George Airport.

The H&B Delicatessen will offer deli bakery items and sandwiches. Some of those will include well known St. George favorites. We will focus on bringing in anyone who visits the airport—providing them a warm and comfortable place to relax and enjoy excellent food. The Café will be open seven days a week from 5am -5pm.

Company Ownership/Management

The H&B Delicatessen is a privately held Limited Liability Corporation owned by Betsaida Rivas (51%) and Holmidis Valero (49%) with Betsaida Rivas as business operator and General manager, and Holmidis Valero as an investor.

Betsaida Rivas has a degree in International Business, has worked in the banking area for more than 8 years. Manager for Jvexpress Company in the St. George Area. Betsaida Rivas will run the business every day from opening to close, assuring products and services offered are the best.

Holmidis Valero's commitment will be as primary investor. Holmidis has had an extensive background working as a professional watch maker and micro-technician throughout his life; he currently resides and operates his own watch making business in Utah

David Valero is listed as investor and will manage any logistical needs as well as relief support. David resides in Salt Lake City, UT and has been running a courier business for more than 10 years throughout Utah and nationwide.

Carlos Rivas has been working for Jvypress as a Sales Manager and Customer Coordinator for 6 years. Carlos Rivas will provide business operation support as well as a direct point of customer support. Carlos currently works for SkyWest at the St. George Airport and offers customer insight to bring new ideas as well as customer satisfaction.

Part-time personal will be hired between 5:00am and 5:00pm to cover the 7 days of business operations, holidays, and/or busy times. Family members will assist as well.

Company Location and Facilities

The H&B Delicatessen will be located inside the St George Airport between the main Airport entrance and rental car stalls.

The facility will include a counter/front area and a backroom area where refrigerators, ovens, and other kitchen equipment will be located.

It may also include a place for magazines and books and souvenirs.

Products and Service

The H&B Delicatessen will offer breakfast and lunch menus.

Breakfast:

- Croissant (ham, cheese, eggs)
- Yogurt

- Coffee
- Tea
- Hot chocolate
- Orange Juice

Lunch:

- Cold sandwiches (turkey, ham, roast beef ETC.)
- Hot sandwiches
- Croissants

Pastries:

- Muffins
- Cakes
- Cheesecake
- Brownie
- Cookies

Drinks:

- Pepsi Products (soft drinks)
- Juices
- Water

Miscellaneous:

- Chips
- Granola bars, etc.
- Magazines
- Souvenirs

Any of the breakfast or lunch items can be premade, or prepared within minutes. To assure rapid service and high customer satisfaction, we will use high-quality ingredients, strictly prepared guidelines, and well trained personal.

Competitive Comparison

The H&B Delicatessen considers itself to be in the retail food industry, providing convenient and efficient products. We allow passengers a place to eat without having to leave the airport.

Sourcing:

Purchases will come from Wholesale and retail stores like Sysco, Us Foods, and Costco etc. This will provide us high quality products that meet health department requirements. Wholesale and retail stores also provide an advantage when it comes to price.

Market Analysis-

We have four markets:

- (1.) Passengers that comes in and out of the airport.
- (2.) Families and friends dropping and picking off passengers.
- (3.) Airport employees
- (4.) Bikers, and Private Airport patrons.

Target segment: Strategy

The volume of passengers has the potential of providing a large number of sales to the business during the peak hours of 5am-6pm

Currently, SkyWest Airlines has 4 departing flights between 6:30am-6:22pm Monday-Friday; 3 departing flights Saturday from 6:30 am-3:15 pm; and 4 departing flights Sunday from 6:30am- 6:22pm. Each flight has a 50 passenger capacity.

SkyWest Airlines has 3 arriving flights from 10:47am-5:52pm Monday–Friday; 2 arriving flights Saturday from 10:47am-2:47 pm; and 3 arriving Sunday flights from 10:47am-5:52pm. Again, 50 passengers per flight.

United Airlines has 2 departing flights each day, Monday-Friday at 7:15 am and 1:20pm; Saturday 1 departing flight at 1:20pm; Sunday 1 departing flight at 1:20 pm. All flights carry 50 passengers per flight.

United Airlines flights arrive 1 each day, Monday –Sunday at 12:50pm with 50 passengers.

The airport has 500 arriving and departing passengers between SkyWest and United Airlines Monday-Friday.

Saturday, 350 passengers.

Sunday, 450 passengers.

It is necessary for the company to build an effective word-of-mouth marketing strategy. We will also need visible signs around the airport to advertise the business. Further, we will consider using other advertising mediums like local radio, newspaper, etc.

Market needs:

Our market contains consumers with busy schedules—those running into the airport to catch a flight, returning a rental car, etc. Customers will need a facility that can provide delicious, convenient take-out meals where none currently exist. Passengers have asked for a place to eat on many occasions, but have been told none exists.

Market Growth

We have no indication of market growth in this market. No statistics are available for the local food industry in the airport. However, there is great growth potential and plenty of market potential for the right combination of service, quality, and choice.

Value Proposition

We think our value proposition is quite clear and easily distinguished from others in the market. We offer affordable and accessible menu items and Free 'Wi-Fi' via the airport that will encourage regular visits.

Sales Strategy

The first part of our sales strategy is to establish and maintain a position with our primary clients, travelers. We will keep these people happy with our selection of food and beverage products, combined with great customer service.

Our second strategy is to provide the same service to Airport staff. It is estimated that there are 100 staff members working in and around the terminal.

Other businesses have successfully managed a loyalty card, which will be replicated in the H&B Delicatessen cafe. This card is designed to be used by airport staff, but has a use with frequents travelers as well.

Marketing Strategy

The most important element of our marketing strategy is the delivery of a quality product. Our food and beverage products must sell themselves through word of mouth.

By establishing relationships with other retailers, we will create opportunities for airport visitors to look forward to their experience with The Airport Café.

Pricing Strategy

Our food, drink, and entertainment options are competitively priced with other airports food services. We want repeat business while simultaneously influencing a fresh experience. Therefore, the food and beverages will be relatively flexible.

A sample menu with prices is included in the appendix.



H&B Deli

Airport Food Service Proposal

H & B Deli

St George City

Space Rental (Includes Space and Utilities)	\$ 250 per month for Year 1.	
	\$ 500 per month when sales reach \$ 10,000 per month for 3 consecutive months	
% of Gross Sales	10% of gross sales after first \$10,000 per month	
Space Buildout (Fit to Airport Design)		St George City. First Bid was Westland Construction ~ \$50,000.
Equipment for Space owned by City (Fridges, tables, display cases, etc.)		See Space Buildout
Incidentals (Microwave, cash register, Coffee maker, etc.)	Paid by H&B. Items that are personal to H&B needs beyond basics. ~ \$20,000.	
Store Inventory	Food for store, magazines, Books, etc.	
Benefit to City & Airport (Rent & % of Gross based on Forecast)		\$40,000 to \$53,000
(Breakeven)		\$250,000

St George SBDC
Dixie State University
1071 East 100 South C-7
St. George, UT 84770

H&B Delicatessen

Beverages:

- | | |
|--|--------|
| • Soft Drinks (Pepsi Product) | \$2.99 |
| • Juice (Apple, Orange, Cranberry, etc.) | \$2.99 |
| • Water Bottle (Arrowhead, Nestle, Fiji) | \$1.99 |
| • Hot Beverages (Coffee, Tea, Hot Chocolate) | \$3.95 |
| • Smoothie | |



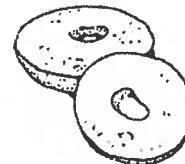
Pastries:

- | | |
|--|--------|
| • Muffin (Chocolate, Blueberry, Poppyseed, etc.) | \$2.50 |
| • Cookie (Choc. Chip, Sugar, Oatmeal, etc) | \$2.25 |
| • Brownie | \$2.99 |
| • Pound Cake | \$3.50 |
| • Cinnamon Roll | \$2.99 |
| • Croissant with honey-butter and jam | \$2.50 |



Breakfast:

- | | |
|---|--------|
| • Croissant Sandwich (Egg, Cheese, Ham, etc.) | \$7.99 |
| • Hot Sandwich (Egg, Cheese, Sausage, Bacon) | \$7.99 |
| • Bagel (Ham and Cheese or Cream Cheese) | \$6.99 |
| • Yogurt (Plain, Strawberry, Blueberry, etc.) | \$1.99 |
| • Oatmeal (To go) | \$1.99 |



Lunch:

- | | |
|---|--------|
| • Cold Sandwich (Ham, Turkey, Cheese, etc.) | \$7.99 |
| • Hot Sandwich (Beef, Turkey, Cheese, etc.) | \$7.99 |
| • Croissant (Ham, Turkey Cheese, etc.) | \$7.99 |
| • Wraps (Chicken, Veggie, etc.) | \$7.99 |
| • Soup (In a cup) | \$4.99 |



A la-carte:

- | | |
|--|--------|
| • Fruit Assortment | \$0.99 |
| • Granola Bars (Kashi, Nature Valley, Protein, etc.) | \$1.49 |
| • Chips | \$1.50 |
| • Snack bags | \$1.99 |
| • Nuts | \$0.99 |
| • Chocolates or treats | \$1.49 |



DRAFTAgenda Item Number : **6D**

Request For Council Action

Date Submitted 2015-06-23 16:14:49**Applicant** Alcohol Tobacco and Firearms**Quick Title** ATF MOA**Subject** The ATF requests that we renew our MOA with them. This allows us to seek reimbursement for wages for one of our detectives who works federal gun cases.**Discussion** One of our current detectives has been working with the ATF for some time now. He assists on investigating federal gun cases in St. George, which often results in federal prosecution and removal of dangerous individuals from our community. The ATF is requesting to renew our MOA. They would like to start reimbursing our detective for his hours worked on their cases, which allows him to focus on other responsibilities during his regular work schedule.**Cost** \$0.00**City Manager
Recommendation** Recommend approval.**Action Taken****Requested by** Kyle Whitehead**File Attachments****Approved by Legal
Department?****Approved in Budget?** **Amount:****Additional Comments**



U.S. Department of Justice

Bureau of Alcohol, Tobacco,
Firearms and Explosives

Washington, DC 20226

www.atf.gov

MEMORANDUM OF AGREEMENT

**Between the
Bureau of Alcohol, Tobacco, Firearms and Explosives
and
St. George Police Department
for
Reimbursement of Overtime Salary Costs
associated with
ATF TASK FORCE**

This Memorandum of Agreement (MOA) is entered into by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the St. George Police Department for the purpose of reimbursement of overtime salary costs and other costs, with prior ATF approval, including but not limited to travel, fuel, training, and equipment, incurred by the St. George Police Department in providing resources to assist ATF.

Payments may be made to the extent they are included in ATF's Fiscal Year Plan and the monies are available to satisfy the request(s) for reimbursable overtime expenses.

I. DURATION OF THIS MEMORANDUM OF AGREEMENT

This MOA is effective with the signatures of all parties and terminates at the close of business on September 30, 2020, subject to Section VII of the MOA.

II. AUTHORITY

This MOA is established pursuant to the following provisions:

1. Title 28, U.S.C., Section 524(c), the Department of Justice, Asset Forfeiture Fund, which provides for the reimbursement of certain expenses of local, county, or State law enforcement agencies incurred as participants in joint operations/task forces with a Department of the Justice law enforcement agency.

2. Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill, which provides for the reimbursement of overtime salary costs of local, county, or State law enforcement agencies incurred while assisting ATF in joint law enforcement operations.
3. Title 31, U.S.C., Section 9703, the Treasury Forfeiture Fund Act of 1992, which provides for the reimbursement of certain expenses of local, county, or State law enforcement agencies incurred as participants in joint operations/task forces with a Federal law enforcement agency.

If available, the funding for fiscal years 2016, 2017, 2018, 2019 and 2020 is contingent upon annual appropriation laws, Title 28, U.S.C., Section 524(c), annual appropriations, and Title 31, U.S.C., Section 332.

If available, funding allocations for reimbursement of expenses will be transmitted through a separate document.

This Memorandum of Agreement (MOA) is not a funding allocation document.

III. PURPOSE OF THIS MEMORANDUM OF AGREEMENT

This MOA establishes the procedures and responsibilities of both the St. George Police Department and ATF for the reimbursement of certain overtime and other pre-approved expenses incurred pursuant to the authority in Section II.

IV. NAME OF JOINT OPERATION/TASK FORCE (if applicable)

The name of this joint operation/task force: ATF TASK FORCE

V. CONDITIONS AND PROCEDURES

- A. The St. George Police Department shall assign officer(s) to assist ATF in investigations of Federal, state, and local laws. To the maximum extent possible, the officer(s) will be assigned on a dedicated, rather than rotational basis. The St. George Police Department shall provide ATF with the name(s), title(s), and employee identification number(s) of the officer(s) assigned to the investigation.
- B. The St. George Police Department shall provide ATF, within ten (10) calendar days of the signing of this MOA, with a contact name, title, telephone number and address. The St. George Police Department shall also provide the name of the official responsible for providing audit information under paragraph VI of this MOA, and the name of the official authorized to submit an invoice to ATF under paragraph V, subparagraph E.

- C. The St. George Police Department shall provide ATF, within ten (10) calendar days of the signing of this agreement, with the financial institution where the law enforcement agency wants the Electronic Funds Transfer (EFT) payment deposited for reimbursement. The mechanism for this is the Unified Financial Management System (UFMS) Vendor Request Form. Within the UFMS Vendor Request form, the DUNS Number should be provided (DUNS – Data Universal Numbering System, identifies business entities on a location-specific basis) under section 12. When completed, forward this form to the appropriate ATF field office address:

ATF, ATTN: Robert P. McCloy, 257 East 200 South, Suite 475, Salt Lake City, UT 84111.

- D. The St. George Police Department may request reimbursement for payment of overtime expenses and other costs with prior ATF approval, including but not limited to travel, fuel, training, and equipment, directly related to work performed by its officer(s) assigned as members of a joint operation/task force with ATF for the purpose of conducting an official investigation.
- E. Invoices submitted to ATF for the payment of expenses must be submitted on the appropriate forms as provided by ATF. The invoice shall be signed by an authorized representative of the St. George Police Department and submitted to ATF field office for signature and verification of the invoice.
- F. The St. George Police Department will submit all requests for reimbursable payments, together with the appropriate documentation to ATF by the 10th day of each subsequent month that the agency is seeking reimbursement.
- (1) If the reimbursement request is not received by the ATF field office by the 10th of the subsequent month, the ATF field office will advise the agency, in writing, that the reimbursement request is late, and if the reimbursement request is not received within the next 10 working days, the overtime costs will not be reimbursed.
 - (2) No waivers or extensions will be granted or honored. The St. George Police Department will submit the request for reimbursement via fax, email or mail to the following address:
ATF, ATTN: Robert P. McCloy, 257 East 200 South, Suite 475,
Salt Lake City, UT 84111.
- G. The ATF Supervisor shall be responsible for certifying that the request is for overtime expenses incurred by the St. George Police Department for participation with ATF during the joint operation/task force. The responsible State or local official shall also certify that requests for reimbursement of expenses have not been made to other Federal law enforcement agencies.

- H. The St. George Police Department acknowledges that they remain fully responsible for their obligations as the employer of the officer(s) assigned to the joint operation/task force and are responsible for the payment of the overtime earnings, withholdings, insurance coverage, and all other requirements by law, regulations, ordinance or contract regardless of the reimbursable overtime charges incurred.
- I. All reimbursable hours of overtime work covered under this MOA must be approved in advance by the ATF supervisor.
- J. All sworn State, county and local law enforcement officers cannot exceed the fiscal year reimbursement cap, which is the equivalent of 25 percent of a GS-12, Step-1 salary. Sworn law enforcement officers in the State, county or local law enforcement agency assigned to cover when a TFO/Special Deputy or other sworn law enforcement officer, has been called away on an ATF matter, shall not be reimbursed with SLOT funds.
- K. Any Sworn State, county and local law enforcement officer receiving funding from multiple sources, such as Organized Crime Drug Enforcement Task Force (OCDETF) or High Intensity Drug Trafficking Area (HIDTA), cannot exceed the fiscal year salary cap when all funding is combined; it is the RAC/GS's responsibility to ensure that the officer does not receive double funding in excess of the fiscal year cap.
- L. The ATF supervisor will forward all approved reimbursement requests to the Division Chief, Asset Forfeiture & Seized Property Division for payment.
- M. **This document (MOA) does not obligate funds.** Funding authority, with maximum reimbursement costs to any one law enforcement officer during the fiscal year (October 1 – September 30); will be provided through other documents. The agency will receive an allocation confirmation from the field division.

VI. PROGRAM AUDIT

This MOA and its procedures are subject to audit by ATF, the Department of Justice, Office of Inspector General, the Government Accountability Office, and other auditors authorized by the Federal government. The St. George Police Department agrees to permit such audits and agrees to maintain all records relating to these transactions for a period of not less than three years; and in the event of an on-going audit, until such time as the audit is completed.

These audits include reviews of any and all records, documents, reports, accounts, invoices, receipts, or expenditures relating to this agreement; as well as, the interview of any and all personnel involved in these transactions.

VII. REVISIONS

The terms of this MOA may be amended upon written approval by the original parties, or their designated representatives. Any amendment to this MOA becomes effective upon the date of approval as stated in the amendment. Either party can cancel this MOA upon 60-calendar day's written notice to the other party. The ATF will only process request for overtime for overtime incurred before the date of cancellation, absent a specific written agreement to the contrary.

VIII. NO PRIVATE RIGHT CREATED

This is an internal Government agreement between ATF and the St. George Police Department and is not intended to confer any right or benefit to any private person or party.

Marlon Stratton
Chief
St. George Police Department

Date: _____

Luke Franey
Special Agent in Charge
Denver Field Division
ATF

Date: _____

Melissa L. McCoy
Melissa L. McCoy
Deputy Chief Financial Officer
Office of Management
ATF

Date: 5/18/15

Marino F. Vidoli
Marino Vidoli
Deputy Assistant Director (West)
Field Operations
ATF

Date: 5/18/15

DRAFTAgenda Item Number : **6E**

Request For Council Action

Date Submitted 2015-07-01 16:33:49**Applicant** Lisa Peterson**Quick Title** Chelsi's Run**Subject** Consideration of a request to close St James Lane and Lizzie Lane for a walk/run event. Consideration of a request to waive the special event fee.**Discussion** The 8th Annual Chelsi's Run event will be held on Wednesday, July 15 from 10:00 pm to 11:30 pm. This event supports the Chelsi Petersen Memorial Scholarship Fund in coordination with the Washington County School District Foundation.**Cost** \$0.00**City Manager Recommendation** Similar to previous years.**Action Taken****Requested by** Bill Swensen**File Attachments****Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments**

DRAFTAgenda Item Number : **6F**

Request For Council Action

Date Submitted 2015-06-22 10:29:45**Applicant** PC**Quick Title** PC Report from June 23, 2015**Subject** Consider the Planning Commission report from the meeting on June 23, 2015.**Discussion** PC had several items on the agenda. However, most of the items were zone changes and will only be setting the public hearing date.**Cost** \$0.00**City Manager Recommendation** Setting of public hearings.**Action Taken****Requested by** John Willis**File Attachments****Approved by Legal Department?****Approved in Budget?** **Amount:****Additional Comments**

**CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH**

PLANNING COMMISSION REPORT: JUNE 23, 2015
CITY COUNCIL MEETING: JULY 9, 2015

1. **PUBLIC HEARINGS TO BE ADVERTISED FOR AUGUST 6, 2015**

(Note: Due to the rescheduling of the regular council meeting from July 2nd to the 9th and council meeting one week later on the 16th; adequate noticing time is not available to set a hearing until the next regularly scheduled council meeting of August 6th)

- A. Consider a zone change request to rezone 10.83 acres from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to PD-C (Planned Development Commercial) to accommodate future development of a proposed commercial center with a car wash, bank, restaurants, business college, and retail stores located along the west side of River Road at approximately 1450 South Street. The project is called **"Boulder Creek Crossing Commercial."** The owner is River Road Investments LLC and the representative is Mr. Eric McFadden, Premier Design and Engineering. Case No. 2015-ZC-017. (Staff – Ray Snyder) *(Note: recommended for approval by PC 5:0)*
- B. Consider a zone change request to rezone 6.04 acres from PD-C/R (Planned Development Commercial/Residential - Mixed Use) to PD-R (Planned Development Residential) to accommodate a townhouse development project consisting of (14) dwelling structures with 54 units. The project is **"Sunbrook Hollow Townhouses."** The property is generally located at 415 south Dixie Drive, behind the existing building on the property. The representative is Mr. Dennis Garr and Gordon Lyle. Case No. 2015-ZC-018. (Staff – John Willis) *(Note: after a failed motion, the PC recommended denial by 4:1-abstain, but the applicant desires to appeal that recommendation to council - see additional comments under 'Other Business')*
- C. Consider 'Zone Change Amendment 3' to amend the **'Atkinville Master Plan'** in the PD-C (Planned Development Commercial) zoning district. The project is located east of the I-15 Freeway and north of the Southern Parkway; it is property located within Interchange 2. The amendment to the plan will 1) delete internal driveway extending through Planning Area 1.5 and 2.3, and 2) amend the vehicular access management plan (Section 3.2 of the plan) to allow a second point of access, and the amendment will also revise certain areas of text. The applicant is SITLA (State Institutional Trust lands Administration) and the representative is Mr. Gary Wood, AECOM. Case No. 2015-ZCA-015. (Staff – Ray Snyder) *(Note: recommended for approval by PC 5:0)*

2. **FINAL PLATS (FP)**

- A. Consider approval of a thirty-three (33) lot residential Final Plat for **"Riverstone Phase 5."** The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at at Las Colinas Drive at approximately 1000 West and 4000 South. The representative is Mr. Brad Petersen, Development Solutions. Case No. 2015-FP-027 (Staff – Todd Jacobsen)
- B. Consider approval of a eleven (11) unit Final Plat for **"The Ledges of St George White Rocks Phase 1."** The property is zoned PD-R (Planned Development Residential) and is

- B. Consider approval of a eleven (11) unit Final Plat for **"The Ledges of St George White Rocks Phase 1."** The property is zoned PD-R (Planned Development Residential) and is located at Canyon Tree Drive at approximately 1500 West and 4900 North. The representative is Mr. Brad Petersen, Development Solutions. Case No. 2014-FP-029 (Staff – Todd Jacobsen)
- C. Consider approval of a three (3) unit Final Plat for **"The Ledges of St George White Rocks Phase 2."** The property is zoned PD-R (Planned Development Residential) and is located at Canyon Tree Drive at approximately 1500 West and 4900 North. The representative is Mr. Brad Petersen, Development Solutions. Case No. 2014-FP-028 (Staff – Todd Jacobsen)
- D. Consider approval of a one (1) lot residential condominium subdivision final plat for **"Estancia Phase 1."** The property is zoned PD-R (Planned Development Residential) and is located at approximately 1145 South Plantations Drive (in the Green Valley area). The representative is Mr. Michael Purdy, Cornerpoint. Case No. 2015-FP-017 (Staff – Todd Jacobsen)
(Note: This item was heard by the PC at the June 9, 2015 meeting, but is now ready to be heard by CC)

3. **FINAL PLAT AMENDMENT (FPA)**

Consider approval of a thirty-seven (37) lot residential Final Plat Amendment for **"Escalera Phase 2 Amended."** The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at 1912 East 1060 North Street. The representative is Mr. Brandon Thayne, Luxury Living Construction. Case No. 2015-FPA-034 (Staff – Todd Jacobsen)

4. **LOT LINE ADJUSTMENT (LLA)**

Consider approval of a lot line adjustment for a future **"Maverik"** convenience store and fuel station. The property is zoned C-2 (Highway Commercial) and is located at the northwest corner of the intersection of 1000 East Street and St George Boulevard (*Newby's Gas Station*). The representative is Mr. Nate Anderson, Reeve & Associates. Case No. 2015-LRE-021. (Staff – Todd Jacobsen)

5. **OTHER BUSINESS**

The Planning Commission met from 5:00 p.m. to approximately 8:00 p.m. and the following occurred:

- 1. Due to renovations being made in the St George City Council Chambers, the PC meeting was held at the **Washington County Administration Building's Chambers** on Tabernacle.
- 2. The **Final Plats** were all recommended for approval and only required 4 minutes.
- 3. The **Lot Line Adjustment** (Maverik) was recommended for approval and only required 7 minutes.

4. The zone change request for **"Boulder Creek Crossing"** required 1 hour and 10 minutes to review and resulted in a 5:0 vote recommending approval with conditions.
5. The zone change request for **"Sunbrook Hollow Town Homes"** required 1 hour and 15 minutes and resulted in a recommendation for denial. The first motion for approval was 2:3 and failed. The second motion for approval was 3:2 and failed. The third motion was for denial (4:1 – abstain) and passed. Project issues included resolution of a secondary emergency access to the park, access from Dixie Drive, and comments from several neighbors regarding traffic safety. Also discussed was the option of 50 units vs. 54 if a secondary access can be demonstrated to meet all legal requirements. Due to the number of units, a traffic study is not required per ordinance.
6. The zone change amendment for the **"3rd Amendment to the Atkinville Master Plan"** required 24 minutes and resulted in a recommendation for approval as presented.
7. The final plat amendment for **"Escalera Phase 2 Amended"** required about 3 minutes and resulted in a recommendation for approval as presented.
8. Two commissioners will be out of town in July and will not be available for PC. Another commissioner will also be out for surgery (and then recovery) in July and will not be available for PC. Unless a **quorum** of 4 can be met, items may not be voted upon.

PCR ITEM 2A

Final Plat

PLANNING COMMISSION AGENDA REPORT:
CITY COUNCIL MEETING:

06/23/2015
07/09/2015

FINAL PLAT

Riverstone Subdivision Phase 5

Case No. 2015-FP-027

Request: Approval of an 33 Lot Residential Subdivision Final Plat

Representative: Brad Petersen, Development Solutions
120 East St. George Blvd, Suite #300
St. George, UT 84770

Property: Located at Las Colinas Drive at approximately 1000 West and
4000 South

Zone: R-1-10

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed
by the Public Works Department staff, (which includes New
Development Division staff and Planning & Zoning staff) and
Legal Department staff and it meets all of the Preliminary Plat
conditions and approvals.

P.C.: The Planning Commission recommends approval.

1. Subject to legal review

PCR ITEM 2B

Final Plat

PLANNING COMMISSION AGENDA REPORT: 06/23/2015
CITY COUNCIL MEETING: 07/09/2015

FINAL PLAT

The Ledges of St. George White Rocks Phase 1
Case No. 2015-FP-029

Request: Approval of a 11 Unit Residential Subdivision Final Plat

Representative: Brad Petersen, Development Solutions
120 East St. George Blvd, Suite #300
St. George, UT 84770

Property: Located at Canyon Tree Drive at approximately 1500 West and
4900 North

Zone: PD-R

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed
by the Public Works Department staff, (which includes New
Development Division staff and Planning & Zoning staff) and
Legal Department staff and it meets all of the Preliminary Plat
conditions and approvals.

P.C.: The Planning Commission recommends approval.

1. Subject to legal review

PCR ITEM 2C

Final Plat

PLANNING COMMISSION AGENDA REPORT: 06/23/2015
CITY COUNCIL MEETING: 07/09/2015

FINAL PLAT

The Ledges of St. George White Rocks Phase 2

Case No. 2015-FP-028

Request: Approval of a 3 Unit Residential Subdivision Final Plat

Representative: Brad Petersen, Development Solutions
120 East St. George Blvd, Suite #300
St. George, UT 84770

Property: Located at Canyon Tree Drive at approximately 1500 West and 4900 North

Zone: PD-R

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the Preliminary Plat conditions and approvals.

P.C.: The Planning Commission recommends approval.

1. Subject to legal review

PCR ITEM 2D

Final Plat

PLANNING COMMISSION AGENDA REPORT: 06/09/2015
CITY COUNCIL MEETING: 07/09/2015

FINAL PLAT

Estancia Phase 1

Case No. 2015-FP-017

Request: Approval of an 1 Lot Residential Condominium Subdivision Final Plat

Representative: Michael Purdy, Cornerpoint
2075 So. Sir Monte Drive
St. George, UT 84770

Property: Located at approximately 1145 South Plantations Drive (in the Green Valley area)

Zone: PD-R

Staff Comments: All aspects of this Final Plat were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the Preliminary Plat conditions and approvals.

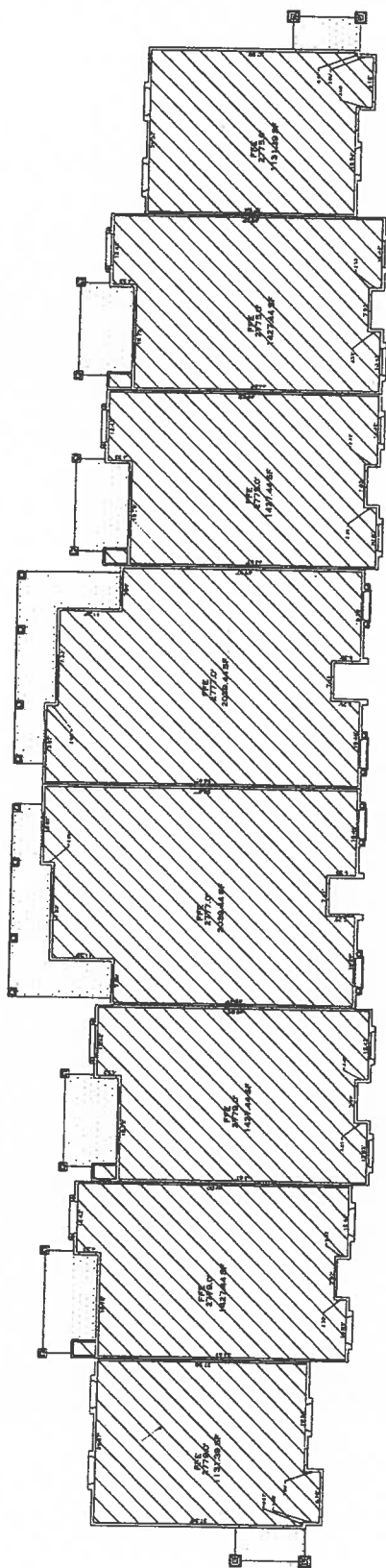
P.C.: The Planning Commission recommends approval.

1. Subject to legal review

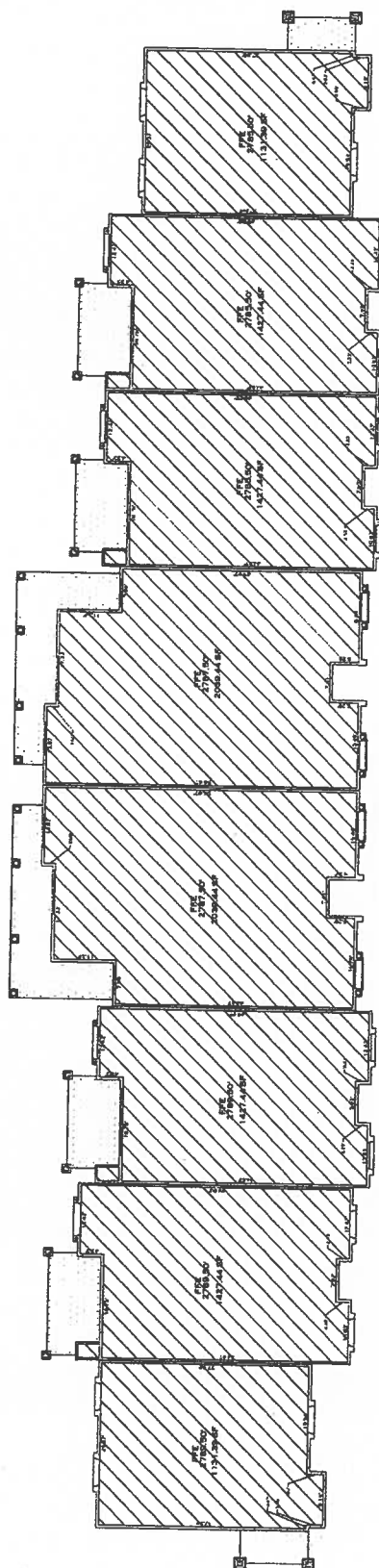
ESTANCIA PHASE 1
LOCATED IN THE SE QUARTER OF SECTION 34,
TOWNSHIP 42 SOUTH, RANGE 16 WEST,
SALT LAKE BASE AND MERIDIAN,
WASHINGTON COUNTY, UTAH

SCALE: 1"= 10'

2 OF 4



FIRST FLOOR



SECOND FLOOR

PRIVATE AREA
LIMITED COMMON AREA
COMMON AREA

100

STATE OF UTAH }
COUNTY OF WASHINGTON } S.S.

FULL NAME SIGNATURE: _____
 FULL NAME PRINTED: _____
 COMMISSION NO: _____
 A NOTARY PUBLIC COMMISSIONED
 IN THE STATE OF "_____"

11. ROTATION NOTE:
ALL BEARINGS ARE ST. GEORGE CITY H.C.N. BEARINGS. ROTATE ALL BEARINGS! 2:45" CLOCKWISE TO MATCH THE COTTAGES SOUTH TOWNHOMES.

MANAGER

* Right to Life, Inc. and the Catholic
 Life Network are the sponsors of
 the following speakers for 11/10/85:
 William F. Buckley, Jr. of ABC's
 "Firing Line" and the ABC's
 "Nightline"

PCR ITEM 3

Final Plat Amendment

PLANNING COMMISSION AGENDA REPORT:
CITY COUNCIL MEETING:

06/23/2015
07/09/2015

FINAL PLAT AMENDMENT
Escalera Phase 2 Amended
Case No. 2015-FPA-034

Request: Approval of a 37 Lot Residential Subdivision Final Plat Amendment

Representative: Brandon Thayne, Luxury Living Construction

Property: Located at 1912 East 1060 North Street

Zone: R-1-10

Staff Comments: The purpose of this Final Plat Amendment is to amend the Restrictions note on Sheet 1 and Note 7 in the Notes section on Sheet 2. The following language will be added to the end of each note..."unless otherwise approved by the City of St. George Development Department based on a site plan that meets all applicable City standards, including but not limited to, grading and setback standards and requirements."

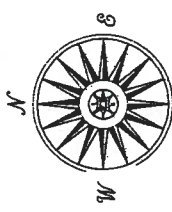
All aspects of this Final Plat Amendment were carefully looked at and reviewed by the Community Development Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff and it meets all of the preliminary plat conditions and approvals.

P.C.: The Planning Commission recommends approval.

1. Subject to legal review

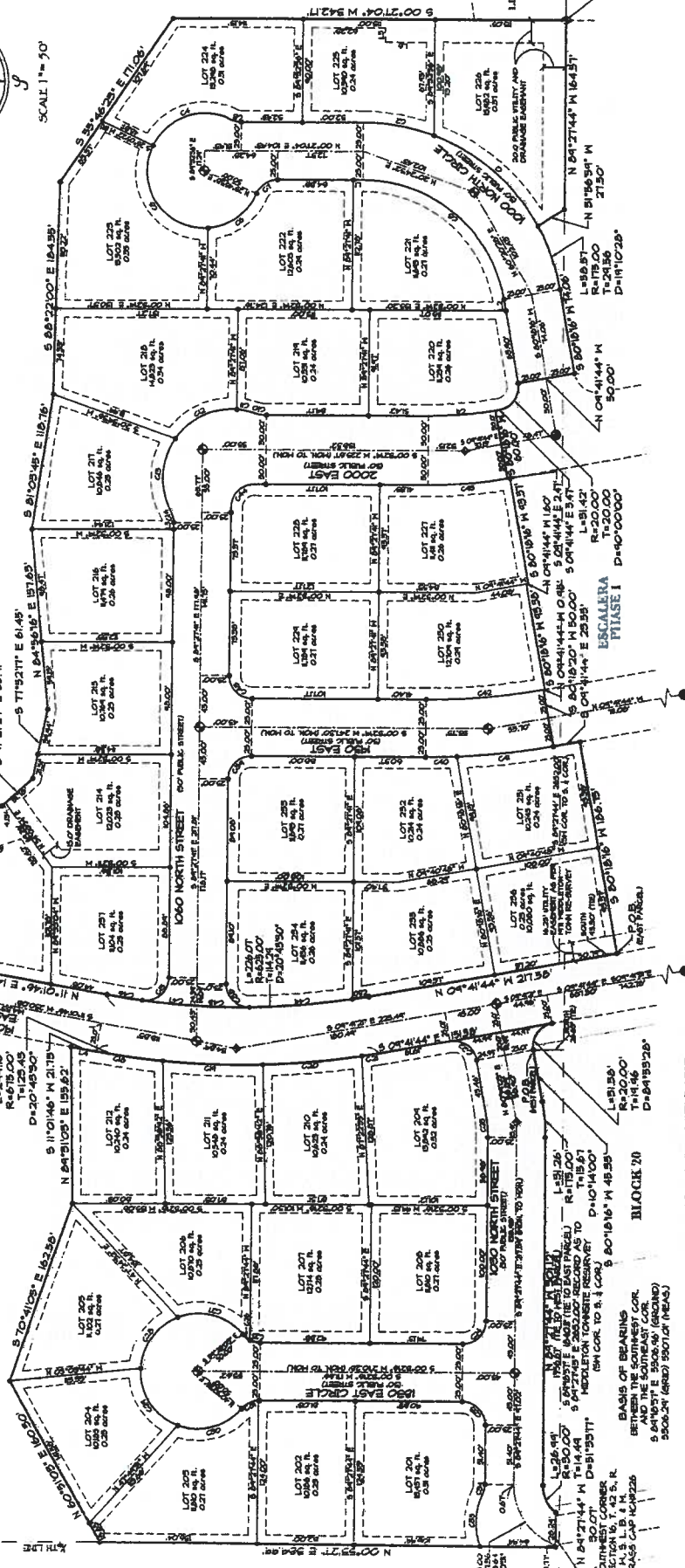
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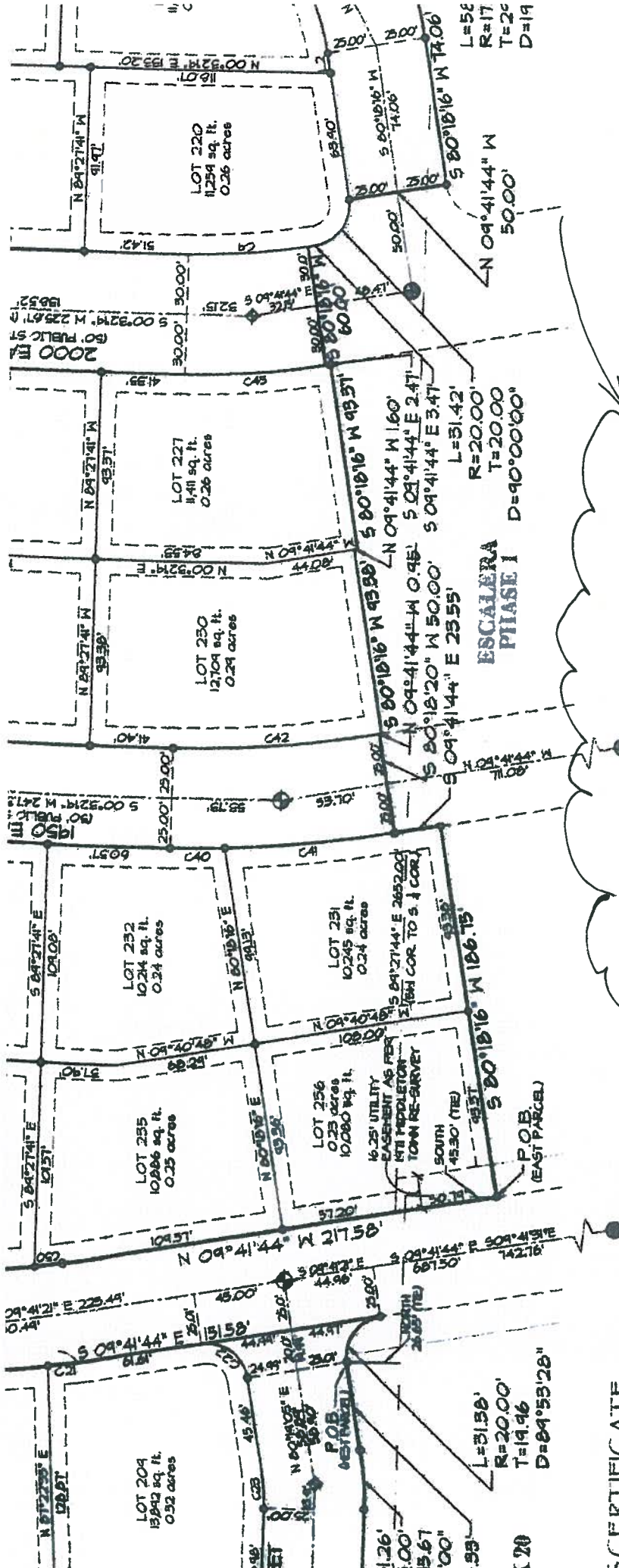
SCALE 1" = 50'

- LEGEND**
- FOUND SECTION MONUMENTATION
 - AS SHOWN AND RECALCULATED
 - SET 3/4" REBAR AND PLASTIC CAP STAMPED ROSSBERG ASSOC. A 2.0" OFFSET TO THE SET AT THE EXTENSION OF THE LOT LINE WITH PLUMB SAILERS (OTHERWISE NOTED)
 - TO BE SET BY STANFORD ST. GEORGE CITY SURVEY MONUMENT - CLASS I
 - TO BE SET BY STANFORD ST. GEORGE CITY SURVEY MONUMENT - CLASS I
 - TO BE SET BY STANFORD ST. GEORGE CITY SURVEY MONUMENT - CLASS I



NOTE:
All lots in this subdivision are subject to building setbacks as follows: 20.00 feet front setback, 5.00 feet side setback, 10.00 feet rear setback, and 10.00 feet on rear yards unless otherwise noted.

RESTRICTIONS:
1. Based on the provisions of a hillside, there exists a potential hazard from falling rock or earth material on lots 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 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1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 17



RESTRICTIONS

1. Basements will not be permitted with the exception of the lots that are designed for walk-out basements. These lots are #207 & #208, #213 & #224, and #224 & #225.

NOTICE OF HAZARD HILLSIDE

1. Based on the proximity to a hillside, there exists a potential hazard from falling rock or earth material on lots, 204, 205, 212-218 and 223. Homes on these lots may be subjected to damage or personal injury from falling rocks or earth material. By purchasing one of these lots, the purchaser assumes any and all risk of damage and personal injury as a result of the lots proximity to a hillside and does hold the City of St. George harmless from any and all claims for injury, damage, expense or loss of whatever nature which may arise as direct or indirect result of hazards referred to herein.

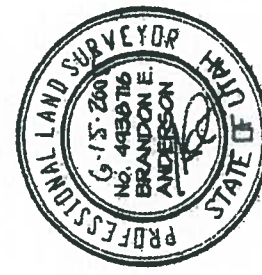
2. All rock walls are private and all rock wall repair and maintenance shall be the responsibility of the lot owner. Said lot owner shall indemnify and hold harmless the City of St. George, its officers, boards, employees, agents and assigns from any claims resulting from rock walls located within this subdivision.

CERTIFICATE

I, St. George, Utah do hereby certify that I am a Registered Surveyor by the laws of the State of Utah and that I hold a license (license) number 4438716. I further certify that by this survey, I have made a survey of the tract of land shown and subdivided the same tract into public streets, lots and other known as:

ESCALERA PHASE 2

on correctly surveyed and points established on the ground in person legal description.



Certificate No. 4438716

APPROVAL:

APPROVAL of the PLANNING COMMISSION:

On this the 28TH day of JUNE, A.D. 2005 the Planning

APPROVAL of the PLANNING and ZONING ADMINISTRATOR:

APPROVAL

NOTES:

1. Lot 2B6 along 1400 East Street south of the section line will have a front public utility & drainage easement of 16.25'. Lots adjacent to Middleton Drive have a 10.0' public utility & drainage easement. This was dedicated with the 1971 Middleton Town Resurvey. All other lots will have a 10.0' front public utility & drainage easement and a side and rear 15' public utility and drainage easement, unless noted as otherwise.
2. A geotechnical investigation was performed by Rosenberg Associates. The investigation results and specified recommendations for the construction of foundations, floor slabs, and flat work are compiled in a report dated July 8, 2004. This report is available from the developer and a copy is on file with the City of St. George. Owners, builders and contractors should become familiar with this report and comply with its recommendations.
3. All lots in this subdivision are subject to building setbacks as follows: 25.00 feet along all public streets, 8.00 feet and 10.00 feet on all interior side yards, and 10.00 feet on rear yards unless otherwise noted. (See Note 10)
4. No dwelling and structures allowed in public utility easements
5. All streets shown on this plat are public.
6. All lot corners must be monumented before a building permit can be acquired.
7. Basements will not be permitted within phases 1 & 2 with the exception of the lots that are designed for walk-out basements. These lots are #207 & #208, #218 & #220, #224 & #225.

OWNER'S DEDICATION:

KNOW ALL MEN BY THESE PRESENTS that the undersigned owners of all the above described tract of land having caused the same to be subdivided into lots, easements, and public streets to be hereafter known as:

ESCALERA PHASE 2

For good and valuable consideration received, do hereby dedicate and convey to the City of St. George for perpetual use of the public all parcels of land shown on this plat as public streets and easements. All lots, streets and easements are as noted or shown. The owners do hereby warrant to the City of St. George and its successors and assigns, title to all property dedicated and conveyed to public use herein against the claims of all persons. Lots shown on this Plat are subject to the Declaration of Covenants, Conditions and Restrictions, of "Escalera, Phase 2" subdivision, recorded in the Office of the Washington County Recorder concurrently with this plat, said Declaration of Covenants, Conditions and Restrictions are hereby incorporated and made part of this Plat.

In witness whereof we have hereunto set our hands this 19 day of JANUARY 2005.

LEGAL DESCRIPTION (WEST PARC

Beginning at a point being on the west line of 1400 East dedicated street, said point being South 89°18'51" W 36.67 feet from the Southwest Corner of Section 16, Township 4N, Range 1E, Meridian, and running
thence South 80°18'16" West 45.33 feet;
thence westerly 31.26 feet along an arc of a 175.00 foot right (center bears North 09°41'44" West long chord bears 31.21 feet with a central angle of 10°14'00");
thence North 89°27'44" West 30.12 feet;
thence southwesterly 26.99 feet along an arc of a 30 West 26.04 feet with a central angle of 51°53'17" to the corner;
thence North 84°27'44" West 30.07 feet along the arc;
thence North 00°53'27" East 304.99 feet along the arc;
thence North 60°51'03" East 160.30 feet;
thence South 70°41'05" East 162.58 feet;
thence North 84°31'03" East 135.62 feet to the West Street;
Thence Southerly the following (3) courses along the West Street;
thence South 11°01'46" West 21.73 feet;
thence southerly 244.16 feet along an arc of a 675.00 the left (center bears South 78°58'14" East long chord bears West 242.83 feet with a central angle of 20°43'30");
thence South 09°41'44" East 151.58 feet;
thence northwesterly 31.38 feet along an arc of a 20. the left (center bears South 80°11'44" West long chord bears West 28.26 feet with a central angle of 89°53'28") to the
Containing 178,622 square feet or 4.101 acres.

PCR ITEM 4

Lot Line Adjustment

PLANNING COMMISSION AGENDA REPORT: 06/23/2015
CITY COUNCIL MEETING: 07/09/2015

LOT LINE ADJUSTMENT

Newby's and Denny's
Case No. 2015-LRE-021

Request: Approval of a Lot Line Adjustment

Representative: Nate Anderson, Reeve & Associates, Inc.
920 Chambers Street, Suite 14
Ogden, UT 84403

Property: Located between 995 East St. George Blvd. (Newby's – Gas Station) and 155 North 1000 East St. (Denny's)

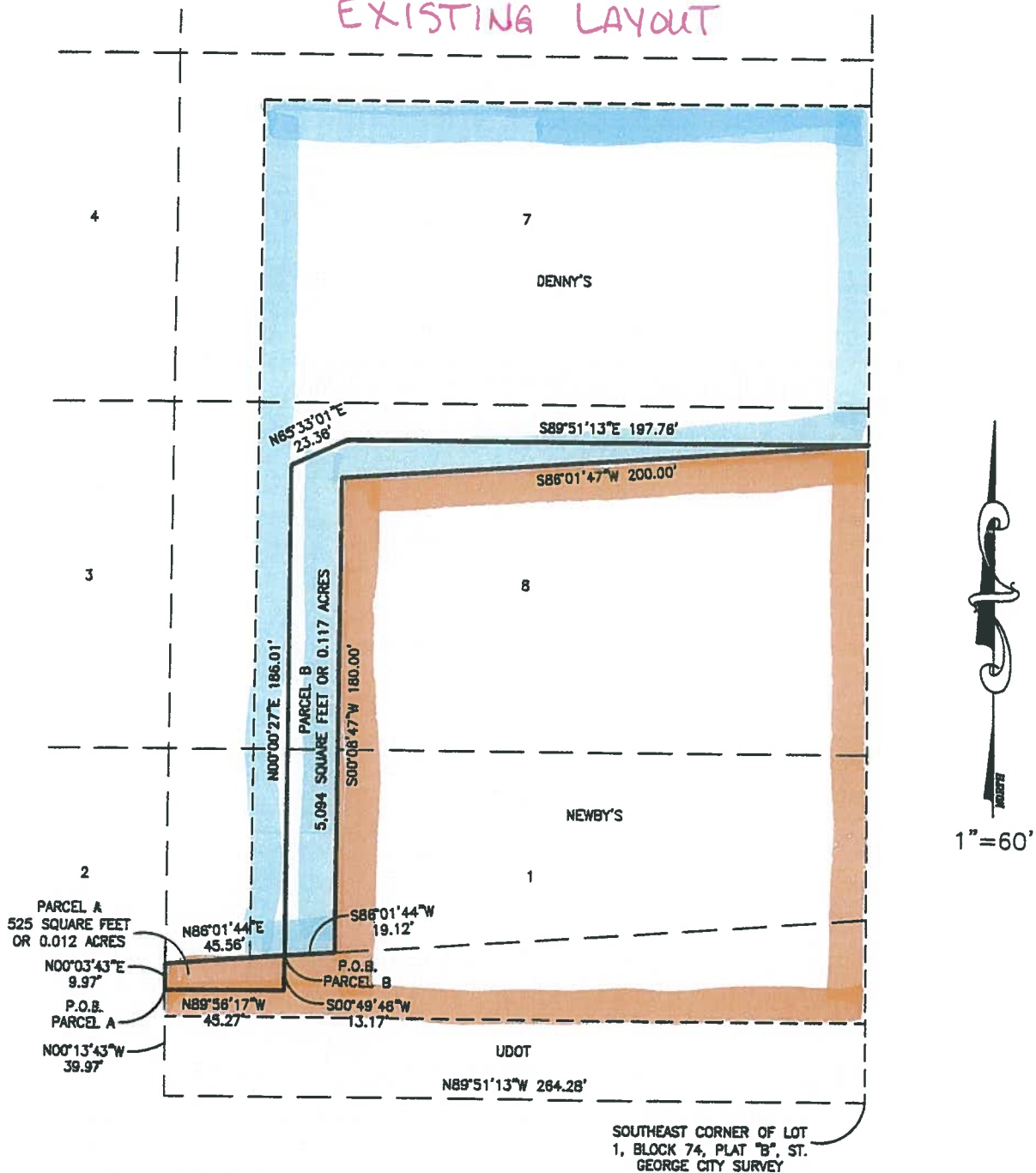
Zone: C-2

Staff Comments: All aspects of this Lot Line Adjustment were carefully looked at and reviewed by the Public Works Department staff, (which includes New Development Division staff and Planning & Zoning staff) and Legal Department staff. This was also approved by JUC (Joint Utility Committee) and it meets all of the conditions and approvals.

P.C.: The Planning Commission recommends approval.

1. Subject to legal review

EXISTING LAYOUT



Reeve & Associates, Inc.

920 CHAMBERS STREET, SUITE 14, OGDEN, UTAH 84403
TEL: (801) 621-3100 FAX: (801) 621-2888 www.jeeve-essoc.com
LAND PLANNERS * CIVIL ENGINEERS * LAND SURVEYORS
TRAFFIC ENGINEERS * STRUCTURAL ENGINEERS * LANDSCAPE ARCHITECTS

Project Info.

Designer: N. ANDERSON

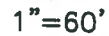
Date: 6-17-15

Name: ST. GEORGE

Number: 5799-286

Scale: 1"=60'

PROPOSED CHANGE



Project Info.

Designer: N. ANDERSON

Date: 6-17-15

Name: ST. GEORGE

Number: 5799-286

Scale: 1"=60'

DRAFT

Agenda Item Number :

6G

Request For Council Action

Date Submitted 2015-07-02 09:38:11**Applicant** Suburban Land Reserve**Quick Title** Development Agreement Between City and SLR

Subject This is a Development Agreement between the City and SLR for the property on Mall Dr. and 3000 East (Lin's). The Agreement requires the City to install a canal, trail, and landscaping along Mall Dr. and requires SLR to build parts of the road and decel lanes on Mall Dr. and 3000 East and allows for two pole signs and four monument signs as approved by the City Council.

Discussion**Cost** \$0.00

City Manager Recommendation This agreement would finalize the issues with SLR on road dedications, public improvements, property for the drainage channel and would facilitate the commercial development in this area. There are a couple of issues to be worked out hopefully they will be agreed to prior to the meeting on Thursday.

Action Taken**Requested by** Shawn Guzman

File Attachments [Off- Site Development Agreement - SLR and City of St George-4841-9397-6867 ver 4 CSG Redline v.1 draft.doc](#)

Approved by Legal Department?

Approved in Budget? **Amount:**

Additional Comments

Attachments [Off- Site Development Agreement - SLR and City of St George-4841-9397-6867 ver 4 CSG Redline v.1 draft.doc](#)

DRAFT 07/02/2015

When Recorded Return to:

Kirton McConkie
Attn: Kirk Grimshaw
50 East South Temple
Suite 400
Salt Lake City, UT 84111

Property Tax ID # SG-5-2-34-4101

**WASHINGTON FIELDS
OFF-SITE IMPROVEMENTS
DEVELOPMENT AGREEMENT**

THIS AGREEMENT (this "**Agreement**") is made as of _____, 2015, by and between **THE CITY OF ST. GEORGE**, a Utah municipal corporation ("**City**"), and **SUBURBAN LAND RESERVE, INC.**, a Utah corporation ("**SLR**") (each individually a "**Party**," and collectively, the "**Parties**"), who agree as follows:

A. This Agreement is made with respect to that certain real property located at the southwest corner of Mall Drive and 3000 East Street, in the City of St. George, Washington County, UT, depicted as Lots 1 - 9 (collectively, the "**Lots**" and/or the "**Property**") on the site plan attached hereto as **Exhibit A** and legally described as:

Lots 1 - 9, the Fields at Mall Drive Subdivision, according to the plat thereof on file and of record with the County Recorder of Washington County, Utah.

B. SLR is the owner of all of the Lots. The Parties desire to enter into this Agreement to define and outline their agreed-upon obligations and duties related to the design, engineering and construction of certain off-site improvements (the "**Off-Site Improvements**") related to and which they have agreed are necessary and beneficial for the development of the Property (the "**Project**").

NOW, THEREFORE, in consideration of the covenants and mutual obligations herein contained, it is agreed as follows:

1. CERTAIN DEFINITIONS:

(a) "**Approvals**" means all governmental permits and approvals necessary for the performance of a Party's Work. Upon approval of applicable Plans by the Parties, the Party to perform the applicable Work shall prepare and submit to the appropriate reviewing authorities all applications and submittals required to obtain all Approvals necessary for the performance of such Party's Work.

(b) "**Bridges**" means "Bridge 1" "Bridge 2" and "Bridge 3," each as shown on Exhibit "A". For purposes of clarification, Bridge 1 shall be a pedestrian type bridge across the canal

and/or channel running along the south side of Mall Drive to provide bike and pedestrian access to the trail that is to-be-constructed along the south side of Mall Drive.

(c) “**Plans**” means all plans and specifications necessary for any aspect of the Work, including, without limitation, final documents from which bids can be let and/or Work fully performed, as reasonably required for all aspects of the applicable Work as provided hereunder. All Plans shall be subject to the prior reasonable written approval of all Parties.

(e) “**Work**” means SLR’s Work and the City Work, as each is defined below. All Work shall be performed in a good and workmanlike manner and in substantial accordance with the applicable Plans and all requirements of the Approvals.

2. SLR OBLIGATIONS AND COMMITMENTS: SLR shall, at its sole expense, use commercially reasonable efforts to (i) engineer, design and prepare Plans, (ii) obtain all Approvals required for, and (iii) cause to be constructed, the following work (the “**SLR Work**”):

(a) The construction of an additional east-bound lane and deceleration lane, as well as curb and gutter along Mall Drive in the location, and to the extent, generally shown on Exhibit A attached hereto.

(b) The widening of the portion of 3000 East Street immediately to the east of the Property, as shown on Exhibit A, including construction of a deceleration lane, curb, gutter and sidewalk.

(c) The extension of one 8” sanitary sewer line from the Property across and within Bridge 2 to the existing City sanitary sewer line located within and along Mall Drive.

(d) The cost of the installation of an 8” culinary water line and appurtenances within and along Mall Drive as well as across and within Bridge 2.

Except as expressly set forth above, in no event shall SLR have any other obligations for any design, construction, or other work related to any off-site infrastructure, or other off-site improvements in connection with the Project.

3. CITY OBLIGATIONS AND COMMITMENTS: City shall, at its sole expense, engineer, design and prepare Plans for, provide all Approvals required for, and cause to be constructed, the following work (the “**City Work**”):

(a) A new drainage/irrigation canal and/or channel (the “**Mall Drive Canal**”) and bike/pedestrian trail parallel to and running the length of the Property’s frontage on Mall Drive, generally located between the Property and SLR’s widening of Mall Drive. Such Mall Drive Canal is generally depicted on Exhibit A. The width of the City Work area along Mall Drive shall be approximately, but shall not exceed, ninety feet (90’) (the “**Work Area**”).

(b) The construction of Bridges 1 and 2 as generally shown on Exhibit A.

(c) The diversion running eastward from the Property into the Mall Drive canal of all irrigation and/or drainage that currently flows at any time through the existing canal which runs along the portion of 3000 East Street immediately to the east of the Property, as shown on Exhibit A (and thereupon said section of canal shall be deemed abandoned and may be filled-in by SLR and/or the then current land owner).

(d) All landscaping and irrigation within and throughout the Mall Drive Canal area and the Work Area.

(e) The cost of the upsizing of an 8" culinary water line to 24" within and along Mall Drive.

4. DEDICATIONS: As distinct portions of SLR's Work are completed as required hereunder, the SLR shall dedicate, in a form reasonably acceptable to both SLR and the City, such portions of SLR's Work to the City, and the City shall accept the same, and after a warranty period in accordance with applicable City codes and statutes (provided in all events such warranty period shall not exceed twelve (12) months after completion thereof, unless extension of the warranty is required to correct any deficiencies).

5. CREDITS: The Work Area shall all be counted towards the Project's landscaping and set-back area requirements relative to Project frontage along Mall Drive. In connection therewith, the City hereby agrees that all set-backs and landscaping as shown on the Site Plan along Mall Drive shall be sufficient in all respects to meet and any all City requirements and City code, rules, and regulations regarding same.

6. SIGNAGE: The City shall grant Approvals for, and hereby grants easements for, the installation, construction, repair, removal, replacement, and maintenance of (i) the two (2) pylon and four (4) monument signs shown on Exhibit A (located within the Mall Drive Canal area), (ii) Bridges 2 and 3, (iii) all utilities and utility lines and pipe running in, under, or through the Bridge 2 and 3, and (iv) all access ways to and from the Project as shown on Exhibit A. Such easements shall include reasonable access thereto.

7. SCHEDULE AND TIMING. The Parties agree to use commercially reasonable efforts to cause aspects of the Work to be completed on or before _____. The Parties shall meet regularly to coordinate their schedules for performing the Work to achieve that schedule.

Comment [SG1]: City expects to be done by December, but SLR's guys are saying April 1st.

8. MISCELLANEOUS.

(a) **Covenants Run With the Land:** This Agreement shall bind and benefit each of the

Lots, shall be appurtenant thereto and for the benefit thereof and shall run with the land.

(b) **Successors and Assigns:** This Agreement shall inure to the benefit of and be binding upon the Parties, their heirs, personal representatives, successors and assigns, and upon any party acquiring a Lot, or any portion thereof, or any interest therein, whether by operation of law or otherwise. It is specifically acknowledged that SLR intends to sell the Lots to one or more third party developers, and may assign its obligations hereunder thereto in connection therewith, provided it causes the same to formally assume all obligations hereunder in writing.

(c) **Injunctive Relief:** In the event of any violation or threatened violation of this Agreement, any or all of the non-violating Parties shall have the right to enjoin such violation or threatened violation in a court of competent jurisdiction. The right of injunction shall be in addition to all other remedies set forth in this Agreement or provided by law.

(d) **Modification and Termination:** This Agreement may not be modified in any respect or terminated, in whole or in part, except with the consent of all Parties, and then only by written instrument duly executed and acknowledged by the same and recorded in the office of the Washington County, Utah Recorder.

(e) **Notices:**

(i) **Method of Delivery.** All notices given pursuant to this Agreement shall be in writing and shall be given by personal delivery, by United States express mail, or other established express delivery service (such as Federal Express), postage or delivery charge prepaid, return receipt requested, addressed to the person and address designated below or, in the absence of such designation, to the person and address shown on the then current real property tax rolls of Richland County:

SLR: Suburban Land Reserve, Inc.
Attn: Dan McCay and Steve Romney
79 South Main Street
Suite 500
Salt Lake City, Utah 84111
Phone: 801-321-8700

WITH A COPY TO: Kirton McConkie
Attn: Kirk W. Grimshaw
50 East South Temple Street Suite 400
Salt Lake City, Utah 84111
Phone: 801-321-4828

CITY: City of St. George
Attn: City manager
175 East 200 North
St. George, Utah 84107

Phone: 435-627-4000

WITH A COPY TO: City of St. George
Attn: City Attorney
175 East 200 North
St. George, Utah 84107
Phone: 435-627-4600

The person and address to which notices are to be given may be changed at any time by any Party upon written notice to the other Parties. All notices given pursuant to this Agreement shall be deemed given upon receipt.

(ii) **Receipt.** For the purpose of this Agreement, the term “**receipt**” shall mean the earlier of any of the following: (A) one business day after delivery of the notice or other document to the address specified above as shown on the return receipt to the extent sent via overnight delivery with a national courier service, (B) the date of actual receipt of the notice or other document by the person or entity specified above, or (C) in the case of refusal to accept delivery or inability to deliver the notice or other document, the earlier of (1) the date of the attempted delivery or refusal to accept delivery,, or (2) the date of receipt of notice of refusal or notice of non-delivery by the sending person.

(f) **Waiver:** The failure of a person to insist upon strict performance of any of the provisions contained herein shall not be deemed a waiver of any rights or remedies that said person may have, and shall not be deemed a waiver of any subsequent breach or default in the performance of any of the Restrictions contained herein by the same or any other person.

(g) **Attorneys’ Fees:** In the event any person initiates or defends any legal action or proceeding related to this Agreement, the prevailing party in any such action or proceeding shall be entitled to recover from the non-prevailing party in any such action or proceeding its reasonable costs and attorneys’ fees (including its reasonable costs and attorneys’ fees on any appeal).

(h) **Severability:** If any term or provision of this Agreement or the application of it to any person or circumstance shall to any extent be invalid or unenforceable, the remainder of this Agreement or the application of such term or provision to persons or circumstances other than those as to which it is invalid or unenforceable shall not be affected thereby so long as the severed provision does not affect the basic consideration for this Agreement, and each term and provision of this Agreement shall be valid and shall be enforced to the extent permitted by law.

(i) **Not a Partnership:** The provisions of this Agreement are not intended to create, nor shall they be in any way interpreted or construed to create, a joint venture, partnership, or any other similar relationship between the Parties or other beneficiaries hereof.

| DRAFT 07/02/2015

(j) **Third Party Beneficiary Rights:** This Agreement is not intended to create, nor shall it be in any way interpreted or construed to create, any third party beneficiary rights in any person or entity not specifically mentioned herein unless otherwise expressly provided herein.

(k) **Captions and Headings:** The captions and headings in this Agreement are for reference only and shall not be deemed to define or limit the scope or intent of any of the terms, covenants, conditions or agreements contained herein.

(l) **Construction:** In construing the provisions of this Agreement and whenever the context so requires, the use of a gender shall include all other genders, the use of the singular shall include the plural, and the use of the plural shall include the singular.

(m) **No Joint and Several Obligations:** In no event shall any Party hereto be responsible for any obligations of any other Party hereunder.

(n) **Recordation:** This Agreement shall be recorded in the office of the Washington County, Utah Recorder.

[SIGNATURES TO FOLLOW]

| DRAFT 07/02/2015

IN WITNESS WHEREOF, this Agreement is entered into as of the day and year first written above.

CITY OF ST. GEORGE,
a Utah Municipal Corporation

By: _____
Jonathan T. Pike
Title: Mayor

ATTEST:

Christina Fernandez, City Recorder

APPROVED AS TO FORM:

Shawn M. Guzman, City Attorney

| DRAFT 07/02/2015

SUBURBAN LAND RESERVE, INC.,
a Utah corporation

By: _____
Name: R. Steven Romney
Title: President

STATE OF UTAH;

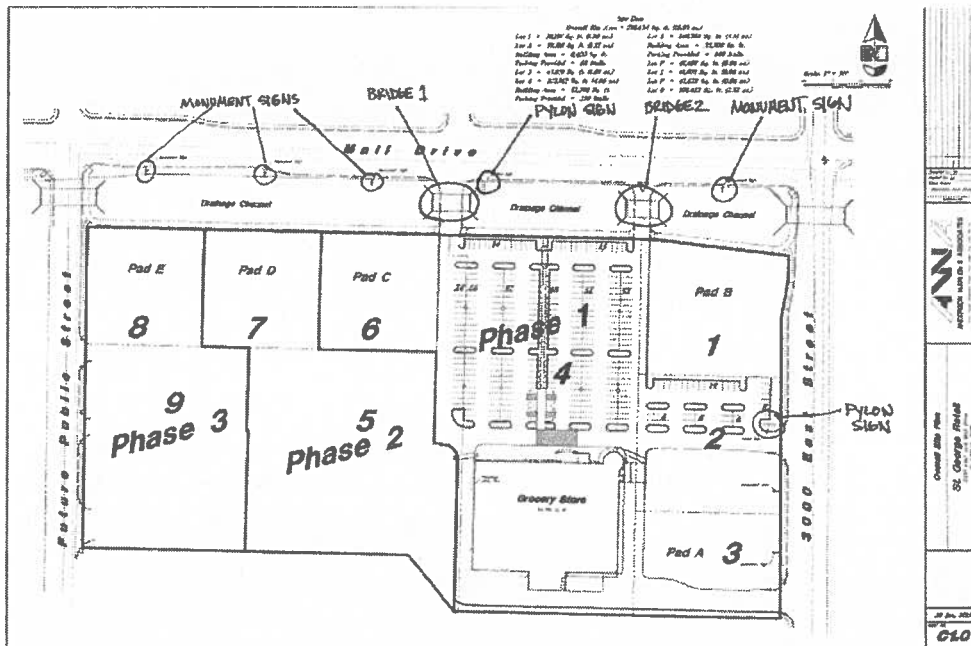
COUNTY OF SALT LAKE:

On _____, 2015, personally appeared before me _____
who duly acknowledged to me that s/he executed the same in the capacity indicated.

NOTARY PUBLIC: _____

DRAFT 07/02/2015

EXHIBIT A-NEW EXHIBIT WILL BE SUBMITTED
SITE PLAN



**ST. GEORGE CITY COUNCIL MINUTES
REGULAR MEETING
MAY 7, 2015, 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT:

**Mayor Jon Pike
Councilmember Gil Almquist
Councilmember Michele Randall
Councilmember Joe Bowcutt
Councilmember Bette Arial
City Manager Gary Esplin
City Attorney Shawn Guzman
City Recorder Christina Fernandez**

EXCUSED:

Councilmember Jimmie Hughes

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Councilmember Almquist and the invocation was offered by Reverend Jimi Kestin.

Mayor Pike mentioned the prayer meeting that took place this morning. Additionally he mentioned that Reverend Jimi Kestin will be honored as a Distinguished Citizen at the Dixie State University awards ceremony. He introduced members of the Unplugged Program and invited them to come forward.

Erik Rowland from Heber City explained a program that began three years ago called Unplugged. The program promotes putting down video games and to encourage interacting with the community. He introduced gentleman from the Health Department that will administer the program and explained the program.

Jordan Merrill with the Southern Utah Health Department stated that they are excited about the health benefits the program will give kids. He asked for City support to partner with the community.

Mayor Pike asked the Councilmembers and City Manager Gary Esplin if they are okay with advertising the program on the digital signs.

City Manager Gary Esplin and Councilmembers agreed.

Mayor Pike read a proclamation proclaiming the month of May Bike Month.

Support Services Marc Mortensen stated that cycling has become very popular in Southern Utah. He mentioned events that will take place during Bike Month. Additionally, he mentioned that several neighboring cities will receive a special designation from the Utah Department of Transportation and the Road Respect program as St. George did a number of years ago.

1 designation from the Utah Department of Transportation and the Road Respect
2 program as St. George did a number of years ago.
3
4

5 **COMMENTS FROM THE PUBLIC:**

6 Mayor Pike outlined the rules for making comments as listed on the comment form.
7

8 Stevan Duke, resident, mentioned the proposed Vietnam Memorial Wall. Being a
9 member of the Veteran's Council, he believes it is a good idea. The soldiers did not
10 get the respect they deserved when they returned from the war. There are walls for
11 veterans who have passed; however, there is not a wall that recognizes the living
12 veterans.
13

14 Judith Cooley, resident, also mentioned the proposed Vietnam Wall Memorial. She
15 has been conversing with the Mayor and City Council. This is something that is long
16 overdue. The Vietnam veterans did not get respect when they returned. The wall is
17 a great thing that she will fully fund and maintain. They are only asking for a place to
18 put it.
19

20 Nikki Watterson, resident and daughter of a dying Vietnam Veteran, stated that he
21 wants to see this wall happen as well. The Veterans that came home were treated
22 like trash. She asked how much longer these men and woman have to suffer before
23 they get their thank you.
24

25 Mayor Pike stated that it is a good idea for the Veterans Advisory Committee to
26 discuss this and make a recommendation. Typically, the Council has felt that parks
27 would not be the place to have war memorials. It was decided that Tonaquint
28 Cemetery would be the better place for a veteran's memorial. The Council would
29 consider a modification to that memorial if the committee proposes that. He hopes
30 that Vietnam Veterans no longer feel unappreciated. There is a national Vietnam
31 Memorial that is inspiring as well as the traveling wall.
32

33 Doug Whetstone, resident, mentioned a problem at River Road and 100 South. He
34 showed pictures showing cars that have crossed the double yellow line leaving no
35 room for those that need to get into the turn lane. He suggests curbs be installed to
36 keep the traffic from crossing into the wrong lane.
37

38 Public Works Director Cameron Cutler stated that the lanes on River Road are being
39 looked at for possible permissible lanes. The plan is to eventually put in a median.
40

41 **AWARD OF BID:**

42 **Consider approval of an agreement with Royal T Enterprises to construct a**
43 **traffic light on River Road at St. James Lane/Boulder Springs Road.**
44

45 City Manager Gary Esplin advised this is the first of the recently approved traffic
46 lights.
47

48 Purchasing Manager Connie Hood stated the low bidder was Royal T Enterprises at
49 \$124,994.
50

51 **MOTION:** A motion was made by Councilmember Randall to approve the bid for
52 the traffic signal at River Road and St. James Lane to Royal T
53 Enterprises for \$124,994.

54 **SECOND:** The motion was seconded by Councilmember Arial.

Councilmember Almquist pointed out that the bid is within \$400 of the engineers estimate.

City Manager Gary Esplin noted that this is not the total cost; this is just for installation.

Ms. Hood advised the signal construction will commence on July 13, 2015.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for the Next Gen Communication Recording System for Dispatch.

City Manager Gary Esplin advised this is a new recording system for Dispatch. Although over budget, it is necessary. There are unspent funds in the department's budget as well as a running balance from funds received for providing services throughout the County.

Purchasing Manager Connie Hood recommends the bid be awarded to Next Gen Communication in the amount of \$64,663.33.

MOTION: A motion was made by Councilmember Almquist to award the bid to Next Gen Communication for the recording system for Dispatch.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist - aye
Councilmember Randall - aye
Councilmember Bowcutt - aye
Councilmember Arial - aye

The vote was unanimous and the motion carried.

PROFESSIONAL AGREEMENT:

Consider approval of a professional services agreement for the St. George Regional Water Reclamation Facility Optimization Study project.

City Manager Gary Esplin advised this is a professional services agreement to look at the Regional Wastewater Treatment Plant. There are new proposed state and federal regulations on effluent requirement which could have significant impact on the ability to continue current operations at the plant. The recommendation is to hire this firm to look at alternatives to meet the proposed regulations. The cost is \$73,322 with Bowen Collins.

MOTION: A motion was made by Councilmember Almquist to hire Bowen Collins for the professional services to consider the optimization of the Regional Water Reclamation Facility at the cost of \$73,322.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Randall - aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for volcano shelter/play structure for the All Abilities Park.

City Manager Gary Esplin advised the proposal was advertised nationwide. Staff was excited that there is a local contractor that is qualified to and will do a great job. This element is one of the most critical parts of the park. Staff recommends Dream Weaver Specialties in the amount of \$546,672.

MOTION: A motion was made by Councilmember Arial to award the bid to Dream Weaver Specialties for the volcano in the amount of \$546,672.

SECOND: The motion was seconded by Councilmember Almquist.

Councilmember Almquist mentioned that this is part of the theme that was developed from the surveys and feedback received.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Randall - aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid to install the train tracks at the All Abilities Park.

City Manager Gary Esplin advised that the train has been ordered and will be delivered this summer. Staff has been looking across the country for the track. The installer needs to have a certain license approved by the state. One bid was received from RailWorks Track Systems, Inc. in the amount of \$275,556; about \$100,000 over what staff was told the track would initially cost. Funds will be pulled from other parts of the project to pay for the cost difference.

MOTION: A motion was made by Councilmember Randall to award RailWorks Track Systems for the installation of the train tracks for the All Abilities Park in the amount of \$275,556.

1 **SECOND:** The motion was seconded by Councilmember Bowcutt.

2
3 Councilmember Almquist mentioned that funds are being saved by providing the
4 ballast from rock the City has crushed.

5
6 **VOTE:** Mayor Pike called for a vote, as follows:

7
8 Councilmember Almquist – aye
9 Councilmember Randall - aye
10 Councilmember Bowcutt – aye
11 Councilmember Arial – aye

12
13 The vote was unanimous and the motion carried.

14
15 **AWARD OF BID:**

16 **Consider award of bid to purchase seven (7) Q Pods (wheelchair and scooter**
17 **securement) for the SunTran buses.**

18
19 City Manager Gary Esplin explained a Q Pod is an attachment for the buses that will
20 assist in getting the wheelchairs on the buses quicker and more efficiently. Staff has
21 seen an increase in riders using wheelchairs which has had an effect on keeping to
22 the 40 minute schedule. The total cost is \$108,530; however, the City's match is
23 \$21,706.

24
25 **MOTION:** A motion was made by Councilmember Arial to purchase and install
26 seven Q Pods at the total cost of \$21,706.

27 **SECOND:** The motion was seconded by Councilmember Almquist recognizing that
28 the amount is a match of the overall price.

29 **VOTE:** Mayor Pike called for a vote, as follows:

30
31 Councilmember Almquist – aye
32 Councilmember Randall - aye
33 Councilmember Bowcutt – aye
34 Councilmember Arial – aye

35
36 The vote was unanimous and the motion carried.

37
38 **AWARD OF BID:**

39 **Consider award of bid for a backhoe for the Water Services Department.**

40
41 City Manager Gary Esplin advised the current budget includes the purchase of a
42 backhoe. Two parties met the minimum specifications on the bid. Staff is requesting
43 to go with the second low bidder because of the type of backhoe. HE Equipment is
44 the second low bidder for a John Deere 410 backhoe.

45
46 Councilmember Bowcutt inquired if there is there a way to put the specifications in
47 the request so that the bidders know ahead of time.

48
49 Purchasing Manager Connie Hood replied yes.

50
51 City Manager Gary Esplin explained that has to be balanced against being a sole
52 source. If the specifications are too tight, you may only get one bid.
53

MOTION: A motion was made by Councilmember Almquist to approve the purchase of a John Deere 410 backhoe from HE Equipment.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Randall - aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

PURCHASE AND SALES AGREEMENT:

Consider approval of a purchase and sales agreement to purchase an easement for the traffic signal at Riverside and Mall Drive.

City Manager Gary Esplin stated that this is actually for the traffic signal at Mall Drive and 3000 East. In order to install the signal, the City needs to secure property on the northeast corner. The property owner has requested \$1,000 for the property which will be added to the cost of the traffic signal.

MOTION: A motion was made by Councilmember Almquist to purchase the property for \$1,000.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Randall - aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

AWARD OF BID:

Consider award of bid for yellow and white traffic paint.

City Manager Gary Esplin advised staff is using the state contract with Ennis Paint. The cost is \$128,052 and is included in the current budget.

Councilmember Almquist stated that paint does not last like it used to; therefore, it becomes an almost an annual purchase. He inquired if there was a product that could be applied over the paint, which meets environmental standards, to help the paint last longer.

City Manager Gary Esplin stated that he will have Streets Superintendent Dave Terry look into that.

MOTION: A motion was made by Councilmember Almquist to approve the purchase of yellow and white traffic paint in the amount of \$128,052 for streets.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

City Attorney Shawn Guzman advised that item 2H is for Riverside Drive and Mall Drive, not 3000 East. He explained that the owner allowed the City to proceed with the installation of the traffic signal. The item heard tonight was to finalize the agreement.

PUBLIC HEARING/GENERAL PLAN AMENDMENT/ORDINANCE:

Public hearing to consider a General Plan Amendment from BP (Business Park) to MDR (Medium Density Residential) on approximately 6.037 acres generally located at 415 South Dixie Drive. Dennis Garr and Gordon Lyle, applicants.

Planning and Zoning Manager John Willis presented a request for a General Plan amendment for 6.037 acres of property generally located at 415 South Dixie Drive. He showed an aerial map of the area and a zoning map. The applicant is requesting medium density residential and is not proposing mixed use. Based upon the size of the site, it could accommodate 30 - 54 dwelling units. He showed the proposed plan and read staff's recommendations. The original request was for high density residential; however, the applicant changed to medium density residential at the Planning Commission meeting. Most of the discussion at the meeting was regarding traffic and whether the proposal was the appropriate land use for the site. The motion that was made was a denial but did not pass. Letters were received and are in the agenda packet for review. The remaining business park will remain as it is currently zoned.

Mayor Pike opened the public hearing.

Bob Cicutto, resident, commented that two years ago, the property owner went back and forth a few times on the zoning. He asked how they will exit the complex. The private temporary road has holes in it. Additionally, the warehouse is running a 24-hour truck route through there.

Mayor Pike stated that he understands that the exit will line up with Dixie Drive on the southeast side of the building.

Mr. Cicutto stated a 17-foot for an easement is about half the distance of a normal street width. He asked if a road will be installed in the power easement and if it will accommodate the new residents. It will be noisy with high traffic for those that already live there. He asked how many will live there.

Mayor Pike replied approximately 30-54 units will be built.

Mr. Cicutto commented that the property is low class. What kind of residents will want to face that warehouse; what kind of neighborhood will that be. If there is that much traffic, they feel they will be landlocked. There is a blind s-curve; he asked that the Council look at the traffic issues.

1 Mr. Willis stated that it will be a 50-foot easement. This General Plan amendment, so
2 the question is whether medium density residential makes sense at this location.
3 Issues such as access, widths of roads and the type of houses will be addressed at
4 the zone change request.
5

6 Mr. Cicutto commented that he has lived there for 21 Years and things are not getting
7 any better.
8

9 Mayor Pike commented that this may be a possibility for things to be better. He has
10 seen other projects that the applicants have done.
11

12 Larry Skelton, resident, stated the problem that came up in the last City Council
13 meeting was that the road is too close to the houses. They were talking about the
14 safety issue in getting off Parkside. He is hearing that the issue is now whether they
15 will build. He asked if they going to be two story units or apartment homes.
16

17 City Manager Gary Esplin explained the process. Tonight, the request is a General
18 Plan amendment. Before the developer can move forward, they will have to request
19 a zone change hearing. The neighbors will be notified and will see the plans prior to
20 City Council approval. The entire project will be discussed and there will be an
21 additional public hearing at that time.
22

23 Mr. Skelton commented that letters go to those within 500 feet; however, it affects
24 everyone on the top side of the street.
25

26 City Manager Gary Esplin explained that staff does more than what is required by law.
27 Per state code, it only needs to be published in a newspaper.
28

29 Chris Braunberger, resident, commented that he knows the developer has the right to
30 develop the property. He asked with the General Plan change that is being
31 considered tonight, is traffic considered when making a decision.
32

33 City Manager Gary Esplin stated that it is a land use issue, not a traffic issue.
34

35 Mr. Brownsberger explained the neighbors are concerned with safety.
36

37 City Manager Gary Esplin stated he believes there are issues with this property owner
38 and the existing property owner. Those issues will have to be worked out prior to the
39 zone change request.
40

41 Mayor Pike closed the public hearing.
42

43 Councilmember Almquist mentioned a map that was included in the agenda packet.
44 When considering this, the Council looks at what other zone would make sense. To
45 leave it as is means that all that can be built is an extension of the business park,
46 which may mean truck traffic.
47

48 Councilmember Bowcutt commented that the Council has to look at whether or not
49 this is a good use for the property.
50

51 Councilmember Almquist noted if he was a neighbor, he would not want the idea that
52 there would be another business park there.
53

54 **MOTION:** A motion was made by Councilmember Almquist to amend the General
55 Plan to allow for a Medium Density Residential on previously zone

Master Planned Business Park property on 6.037 acres located at 415 South Dixie Drive.

SECOND: The motion was seconded by Councilmember Bowcutt.

Councilmember Bowcutt commented that the parcel will have to be planned out very well before it comes back for approval.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried

PUBLIC HEARING/GENERAL PLAN AMENDMENT/ORDINANCE:

Public hearing to consider a General Plan Amendment from LDR (Low Density Residential) and MDR (Medium Density Residential) to PO (Professional Office) on 11.3 acres located at 3025 South River Road. Dixie Power, applicant.

Planner Ray Snyder presented a General Plan amendment on 11.3 acres located at 3025 South River Road. He showed an aerial map of the area, a zoning map and photos are the area. Staff has not heard from neighbors in opposition. Planning Commission recommends approval.

Mayor Pike opened the public hearing. There being no public comment, he closed the public hearing.

Councilmember Almquist stated that he spoke with Dixie Power. This location is where they will move their accounting office only in anticipation of moving back to Bloomington when this building becomes maintenance and production office.

MOTION: A motion was made by Councilmember Arial to approve the General Plan amendment from Low Density Residential and Medium Density Residential to Professional Office on 11.3 for Dixie Power.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried

PUBLIC HEARING/ZONE CHANGE/ORDINANCE:

Public hearing to consider a zone change from R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) to PD-R (Planned Development Residential) on 11.75 acres located at approximately 501 South 2200 East; the project is Grayhawk Apartments at Rivers Edge. Bach Homes, applicant.

1 Planning and Zoning Manager John Willis presented a zone change request for
2 Grayhawk Apartments at Rivers Edge. This application was originally heard by City
3 Council on March 19, 2015; however, labels received from the applicant via their title
4 company were incomplete therefore the noticing was done incorrectly. Included in
5 the agenda packet are letters from the applicant and title company apologizing for the
6 error. Additionally, the applicant sent letters to the property owners and held a
7 neighborhood meeting. The applicant is requesting a height over 35' and a reduction
8 in the parking standard. He showed an aerial map of the area, a zoning map, and a
9 General Plan map. They are proposing approximately 20-21 units per acre. He then
10 showed the proposed site plan. Eight of the units will be 4-story buildings located
11 primarily in the center of the project. There is an approximate 10' elevation change
12 between the existing townhouses and the proposed apartments. The parking
13 requirement is 2 stalls per unit, one of which is required to be covered and one guest
14 parking space per three units. Guest parking and covered parking requirements will
15 be met; however, the applicant is requesting a reduction of 63 parking spaces. He
16 read the code section that applies to a request for parking reduction. The applicant
17 believes this is adequate parking based upon their other projects. Additionally, the
18 applicant provided a parking study which supports the request. He then reviewed the
19 landscape plan and accesses. The Planned Development zone allows the applicant to
20 request an increase in the building height. He read staff comments included in the
21 agenda packet. Planning Commission recommends approval with the condition that 6
22 of the 8 buildings (K and L) be considered for a height variance rather than 8.
23 Additionally, letters have been submitted and are included in the agenda packet. He
24 showed the proposed elevations and photos of the site.

25
26 Randy Rindlisbacher with Back Homes explained that originally, they provided a
27 mailing list that they believed was a complete list; however, in late March, they
28 received a letter from the HOA for Bedrock Townhomes stating that they did not
29 receive a letter. The computer program used to compile the list did not recognize
30 that community. Meridian Title wrote a letter of apology to the residents that were
31 missed. He also wrote a letter to the residents. The letters missed were not intended
32 to deceive the residents. They held an informal neighborhood meeting, nine people
33 showed up. He presented a PowerPoint presentation covering the following topics:
34 Why I'm Here (Again); The Falls at Mesa Point; The Regency at River Valley;
35 Proposed Project; Grayhawk Apartments at Rivers Edge; Clubhouse; Pool Area;
36 Comparable Pool Areas; Comparable Playground; Color Schemes; and Conclusion.

37
38 Mayor Pike opened the public hearing.

39
40 John Shepherd, resident, stated that he lives in the Slick Rock Park subdivision.
41 Although he believes it is a land owners right to develop their land, he would rather
42 not have a high density development in his backyard. The entrance to the proposed
43 subdivision will be off 2450 East. That will create a lot of traffic flow on a road
44 without a traffic light. For those that live in the neighborhood, traffic is an issue. It is
45 currently zoned residential which is appropriate for the area. His concerns are the
46 additional traffic, safety and usage. He is not excited to see the usage being high
47 density; a beautiful residential plan would be appropriate.

48
49 Robert Beverly, resident and secretary for the Bedrock Community HOA presented a
50 packet to the Councilmembers. He thanked Mr. Rindlisbacher for having the meeting
51 to address the impact to the neighboring residents. He understands the right for
52 them to build on their property; however, from the HOA's point of view, he wants to
53 protect the safety and the impact of their residents. He spoke with the developer of
54 Bedrock Homes because he could not find the depth of the wall for units 37-41 that
55 will back up Building M. The foundations to these units are 20' from the wall and the
56 patios are 10' from the wall. He outlined the pictures that are in the packet he

1 provided. There is no drainage in their parking lot from units 17-48. When it rains,
2 the water runs down through the rocks and into the field. He did not see anything in
3 the proposal that will stop the water from flooding their property. The wall goes
4 352.27' with a 25' angle down to unit 48, but the wall is not more than 48" in depth
5 on a 6" foundation. His concern is that their insurance policy will not cover damages
6 from foundation. He asked who will be responsible if the wall collapses or the
7 foundation of these units cracks.
8

9 City Attorney Shawn Guzman commented that he cannot speculate on something that
10 hasn't occurred. It is the responsibility of the property owner to maintain the
11 drainage and drain their own property.
12

13 Mr. Beverly added that Bedrock Townhomes was approved that way.
14

15 City Attorney Shawn Guzman stated that staff would have to look at the drainage
16 plan. It is possible that over the years the flow has changed. Drainage is to be
17 maintained by the property owner.
18

19 City Manager Gary Esplin commented that Bedrock Townhomes is responsible to see
20 that they are not draining onto private property. Prior to the wall being built, the
21 drawings will have to be approved by staff. He does not think it is fair to bring up
22 drainage without staff looking into the drainage plans. Staff will be happy to look at
23 the plans that were submitted. It is not this developer's responsibility to deal with
24 their drainage. The detailed drawings for the wall will be submitted and approved
25 when the building permit is applied for.
26

27 City Attorney Shawn Guzman restated that they are being asked to speculate on a
28 hypothetical. Whether it is an apartment complex or a row of homes, there would
29 still be construction. They would still be facing probabilities and possibilities. He
30 couldn't tell him what who responsibility it would be as there can be different
31 scenarios; however, it is not the City's responsibility. Staff looks at and approves the
32 plans. The City would issue a certificate of occupancy.
33

34 Mr. Beverly addressed the traffic issue mentioned. There are 506 parking spaces,
35 181 bike spaces, and a shopping center will be built there. It was mentioned, 2450
36 East would be the main access. He originally thought there would be access on
37 Riverside Drive. That amount of traffic cannot exit onto the bridge area and back. It
38 is his opinion that the majority of the residents will use 2450 East. They have a hard
39 time getting out of their complex in the afternoon. A traffic light will need to be
40 installed as soon as this is built. His suggestion is to eliminate building M which
41 would relieve the possibility of impact to their properties.
42

43 Joel Glauser, resident, stated he agrees with the last two gentleman who spoke. He
44 asked if the zone change was rescinded.
45

46 City Manager Gary Esplin replied the zone has not been changed. He explained that
47 the General Plan amendment has been approved and shows the possibility for high
48 density residential. The land use is medium to high density residential.
49

50 Mr. Glauser stated that his main concern is traffic along 2450 East. He would like to
51 see the main entrance be on 2200 East.
52

53 Greg Wagner, resident, inquired about the number of accesses. He understands that
54 they will be on Mall Drive, 2200 East and 2450 East. They own the Riviera Palms
55 Townhomes; their manager contacted them to let them know that the construction
56 access will be off 2670 East.

1
2 Mayor Pike replied that he is correct with regard to the accesses; however, there will
3 be no construction access off 2670 East per the applicant.
4

5 Mr. Rindlisbacher commented that Mr. Shepherd's primary concern is the traffic.
6 They have agreed with City staff to share in the cost for the traffic light and will pay
7 impact fees.
8

9 City Manager Gary Esplin noted that the motion at the last meeting required the
10 developer to do a traffic study. The City's traffic engineer was concerned by some of
11 the assumptions made by their engineer.
12

13 Mr. Rindlisbacher agreed to work with staff on that. He commented this is not a
14 General Plan amendment; it is a request for a zone change. Mr. Beverly brought up
15 concerns about the drainage; they will engineer their plans to address that with their
16 HOA. If there is a pipe system with an easement, they will take the water and drain
17 it into the River. With regard to the wall that was mentioned - the retaining portion is
18 about 48-50' tall and slopes down. They anticipate a 10' difference between the
19 foundation of their existing buildings and building M. They will likely propose to build
20 a second retaining wall. Their engineers will ensure that it does not impact the
21 structural integrity of the existing wall; if it does, they will be liable for that. He
22 mentioned a letter received requesting compromise. They have already compromised
23 as building M is the only building that will be three stories rather than four. The roof
24 heights will be similar between Bedrock's two-story building and the proposed three-
25 story building. He does not see how moving the entrance to 2200 East will change
26 the traffic.
27

28 Mr. Wagner noted that they build a temporary road that will lead to 2670 East.
29

30 City Manager Gary Esplin explained that is for the rip rap that is being put in next to
31 the River extending the erosion protection boundary.
32

33 Mr. Shepherd clarified that his primary concern is density; traffic would be a product
34 of that. It seems like this is moving along. If this project were to continue, he
35 wonders if the link to 2450 East has to occur. He asked if the end of the
36 development could be walled and not be pass-through.
37

38 Mayor Pike commented that it would be a disadvantage to limit the circulation like
39 that. It is already on the General Plan to have high density.
40

41 Mr. Glauser noted that there are less children on the side of 2200 East and Mall Drive.
42

43 Mayor Pike closed the public hearing.
44

45 City Manager Gary Esplin addressed letters included in the agenda packet. One of
46 them indicated that the City has collected impact fees; therefore the project being
47 approved is a formality. The City has not collected any fees from Bach Homes with
48 regard to this project and it has not been permitted. A grading permit was issued to
49 Wadman Construction to grade the entire site. Another letter addresses the inability
50 of students to walk to Fossil Ridge because the City hasn't done anything. He
51 understands there is a sidewalk along Riverside Drive and a signal that the City
52 installed at Mall Drive. The school kids can cross the road there. If there are enough
53 students to warrant a crossing guard, one will be put there. Some of the other letters
54 are not based on fact.
55

Councilmember Almquist stated that having been on the Planning Commission, he recognized that when the Bedrock subdivision was put in, 2450 East was built to service that project as well as the church. It would never have been approved if it were a cul-de-sac, because it would have violated City ordinances for length. The statement about not wanting to live next to high density, he has lived next to and in high density subdivisions. His comment with regard to the prior item, since the surrounding neighborhood in the area by Moore Business Forms was not high density, they probably would not vote for high density in their back yard.

Councilmember Randall commented a lot of time has been spent on this project.

Councilmember Bowcutt commented 40 years ago, 700 South was the end of St. George, some day 2450 East will be the center of St. George. Density will increase and land will go away. The Council will have to say if this will work for the majority of the citizens or not.

Mayor Pike noted that there is a need for multiple housing options for citizens. Studies show there is a need for apartments. It looks like a nice development and staff has seen a good track record with this developer.

Councilmember Almquist commented that the picture shows the wall is 48" and a 6" on the down slope side. That is a trigger height for an engineer to have submitted plans for the wall. Looking at the photo, they would have to dig on the backside of the wall to see how far concrete extends into the hillside. Under that construction guideline and engineering requirement it would most likely have the vast majority of the footing in the hillside. That would be further comfort for the HOA to dig on that side and determine where the footing extends.

MOTION: A motion was made by Councilmember Randall to approve the zone change from R-1-10 to Planned Development Residential on 11.75 acres for the Grayhawk Apartments at Rivers Edge with the traffic study and any related improvements from the traffic study and including the participation for the traffic signal as submitted.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye

Councilmember Randall - aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

Mayor Pike called for a 10 minute recess.

PUBLIC HEARING/GENERAL PLAN AMENDMENT/ORDINANCE:

Public hearing to consider a General Plan Amendment from LDR (Low Density Residential) to COM (Commercial) on 1.4 acres generally located at the north intersection of 1580 South and River Road. River Road Inv. and Shefco, applicants.

John Willis presented the General Plan amendment on 1.4 acres generally located at the north intersection of 1580 South and River Road. The decision regarding a General Plan amendment is narrow and focused on determining whether commercial

1 is appropriate at this location. The type of zoning, site plans, buildings and traffic will
2 be approved with the zone change. He showed an aerial map of the area, a General
3 Plan map, zoning map and photos of the property. He read staff comments as stated
4 in the agenda packet. Planning Commission spent considerable time on the proposal;
5 two motions were made but did not pass. The first motion was to approve the General
6 Plan amendment with the modification that 100 feet along Bundy Lane remain as low
7 density residential; the second was to approve the General Plan amendment as
8 proposed by the applicant, that the entire area be commercial. None of the parcel is
9 in the 100 year flood plain.

10
11 Mike Sheffield, applicant, presented a PowerPoint presentation covering the following
12 topics: Our Goal; Development Experience; Boulder Springs Villas, Parade of Homes
13 Builder; Summit Athletic Club; Sun River Plaza; Current Project; General Plan for
14 Project; Building Renderings; Stevens-Henager College; Frequently Asked Questions;
15 How Will This Affect Bundy Lane. Recently, they met with interested parties to
16 answer their questions. When first speaking with PC, the building was parallel to
17 Bundy Lane. After speaking with residents, they moved the building alongside River
18 Road. They refuse to block anyone's view. He continued with his PowerPoint
19 presentation covering the following topics: Will the Buildings Block My View? No; Will
20 This Increase Traffic to The Area? Yes & No; How Will This Affect My Property Value?;
21 What Progress Have We Made?; and Conclusion.

22
23 Councilmember Almquist asked if there will be a planting strip that will hide the
24 building along Bundy Lane.

25
26 Mr. Sheffield replied yes, they plan to work with residents in Bundy Lane to see what
27 they would like.

28
29 Councilmember Almquist mentioned that the length of the building will now be
30 north/south, before it was east/west. The 35' limit becomes the width of the building
31 rather than the entire length of the building.

32
33 Mr. Sheffield agreed.

34
35 Councilmember Arial asked what the reaction to the residents has been.

36
37 Mr. Sheffield stated that the residents of Bundy Lane would like for the property to
38 remain residential. Certain individuals would like to have the building be one story if
39 approved. Residents want to also maintain their views.

40
41 Mayor Pike opened the public hearing.

42
43 Ross Glauser, resident, provided an aerial map of the area. He is not against things
44 moving on. Just because someone owns land it does it give them the right to build a
45 20,000 foot building in a residential neighborhood. Bundy Lane curves a bit; the
46 office building will be in the middle of Bundy Lane. He is not against commercial, but
47 why build it in someone's neighborhood. This benefits no one but the Sheffield's.
48 There are supposed to be homes on that road. He worked hard to purchase the
49 property above this lot. He will do everything in his power to fight this. There are
50 already traffic problems, how can they add more people.

51
52 Councilmember Almquist commented that Mr. Glauser provided a scenario with two
53 more homes on the corner. Those would provide additional traffic on Bundy Lane,
54 whereas the Sheffield's have stated that they would not add any more traffic on
55 Bundy Lane.

1 Mr. Glauser stated that they will have a lane behind Bundy's that goes to the stop
2 light.
3

4 Carol Bundy, resident, stated that she is concerned that this is 1.4 acres, her lot is
5 .89 acres. Why should they be concerned if the Sheffield's can make a living with
6 their lot and value his lifestyle and her lifestyle is overlooked or not valued? She
7 does not have a problem with him developing the commercial lot, but his residential
8 lots are on Bundy Lane, which is a residential lane. They need to remember who is
9 there. Just because you can do something doesn't mean it is right or that you
10 should.
11

12 Tom Durrant, resident, mentioned that he talked with Mr. Sheffield on this issue for a
13 number of years. The general desire for those that live in the area is for Bundy Lane
14 to stay residential. In the past, the letter signed from the lane, they talked about a
15 second building on Bundy Lane. A lot of the neighbors are concerned that if this is
16 approved, another building will be built in the future. An additional concern is the
17 general plan or the nature of the proposal to be office retail. The Sheffield's are not
18 willing to limit the use to office; they would like to have it retail. If inclined to make a
19 change, consider general office rather than general commercial. With all of the acres
20 available for development, the Sheffield's chose to build the large building along a
21 residential lane. They believe there is a market for single family residential use. It is
22 right on the border of a commercial development. The property that is currently
23 zoned R-1-10 remains that way, they would be okay with commercial being built on
24 the rest of the property.
25

26 Councilmember Almquist referring to Mr. Sheffield's PowerPoint presentation asked if
27 the garage, shown on the slide referring to blocking views, is entered into from Bundy
28 Lane.
29

30 Mr. Durrant replied yes and if they are two-story homes they can potentially block
31 views. Residents would rather see residential than commercial. The lots would work
32 well with a walkout basement. They want to be good neighbors, but they need to
33 represent their interests.
34

35 Dave Paul, resident, stated that when they bought their home, they did so because of
36 the wide open views. They are fearful that the zone change would take away their
37 views. When the Stevens Henager building was moved further east, it will help the
38 people of Bundy Lane to protect their views but will now take away from his view of
39 the Temple. He commented that he likes the commercial idea and trusts Mr.
40 Sheffield; however, if the zone change is approved, he is afraid that the property will
41 be sold and the promises made will not be kept.
42

43 Ward Marshall, resident, stated that he would be happy to bring a class action law
44 suit against the developer. He has been hit twice exiting the St. James community.
45 The studies requested have been great but the traffic study that was implemented
46 right after the Parade of Homes was incorrect. Aesthetic vies attract people to the
47 City, not broke down industrial places. He is saddened by what Mr. Sheffield has
48 done and wants to do. When he looks out his backyard, he will see the back of a
49 20,000 foot building. He hopes the Sheffield's can pull this off beautifully.
50

51 Laurie Kocinski-Puchlik, resident, thanked the Council for addressing her concerns on
52 River Road – the completion of Mall Drive Bridge and installing a traffic light at River
53 Road and St. James Lane. These two projects have made prospect of additional
54 commercial land use more palatable. This will benefit Shefco and the applicant. She
55 feels strongly that you cannot separate land use choices on a major arterial corridor
56 with capacity in 2040. Her primary interest is safety, traffic flow, access

1 management, and quality of life. If general commercial is approved tonight, there
2 would be an issue of access for the Stephens Henager College. They are looking at
3 three additional accesses along River Road. Additionally, there will be conflict for
4 head-on collisions in turning lanes. She is happy to support commercial on the other
5 property if there is once access of 1450 South and one behind it. She asked that this
6 item be tabled until the traffic impact study is reviewed. It is critical to have a cross
7 parking lot access agreements. If the Council agrees that this property is appropriate
8 for commercial, she asked that the applicant withdraw their zone change request and
9 apply for professional office. That would give the neighbors the assurance that it will
10 not be retail.

11
12 Jinks Dabney, resident, commented that he has a lot of sympathy for families and for
13 what the Bundy's are asking tonight; he supports them. Things have changed in the
14 last couple of years. In the past if a developer came in to develop their land, not too
15 much was discussed, everything was just approved because it was their land. The
16 Council has to think about what it looks like. The agenda may say zone change, but
17 the Council has to worry about a lot more now.

18
19 Hal Hickman, resident, stated that their neighborhood formed a committee to deal
20 with development issues. Mr. Sheffield presented a similar presentation to the
21 committee earlier in the week. He is concerned with the proposed two-story building;
22 he suggested it be single story. The corner by the Maverik station is a much better
23 location for the college. They do not object to development of the area, but it needs
24 to be done in a way that it is beneficial to the City as well as their neighborhood.

25
26 Mr. Durrant clarified that there has always been a secondary access; they are not
27 working on a new primary access point to the neighborhood.

28
29 Mayor Pike closed the public hearing.

30
31 Mr. Sheffield stated that everything they have been doing has not been done with
32 malicious intent. They have drawn up interest in Phase 1; therefore this is the only
33 choice for Stephens Henager College due to parking concerns.

34
35 City Manager Gary Esplin commented that for Mr. Dabney to say that the City's
36 development process is to just approve requests and not worry about anything
37 because of private property rights is inaccurate. Every mayor and Council has tried
38 to respect private property rights and to zone and plan the City in the manner that is
39 best for all citizens. That has not changed in the last five years. The request tonight
40 is not to approve the commercial building; it is for a General Plan amendment. The
41 plan with the college is simply a proposed use. His opinion is that tonight's action
42 cannot be based upon putting a Stephens Henager College in that location. The
43 Council has to decide if it is better for residential or commercial on that corner.

44
45 Councilmember Randall mentioned that approving this request does not mean a
46 20,000 square foot building is going there.

47
48 Mr. Dabney commented this is not only about a General Plan amendment. The
49 applicant is not going to change what he is proposing when he requests a zone
50 change.

51
52 Mr. Sheffield stated that he is trying to be open and honest, that is why the plan was
53 shown.
54

Councilmember Arial stated that she appreciates what the Sheffield's are trying to do, but Bundy Lane is a special place. It has a characteristic that is unique. She hopes to see a wonderful development to go in there, but not on that corner.

MOTION: A motion was made by Councilmember Arial to deny the General Plan amendment request for the 1.4 acres.

SECOND: The motion was seconded by Councilmember Randall.

Councilmember Bowcutt asked for clarification.

Councilmember Arial clarified that her motion is for the property to remain residential on the General Plan.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – nay

Councilmember Randall - aye

Councilmember Bowcutt – nay

Councilmember Arial – aye

Mayor Pike - nay

The motion failed.

Mayor Pike advised the Council can either motion to table or approve the request.

Councilmember Almquist stated that he would normally make a motion to table an item; however, he has visited the area. He believes the duty is to make a decision.

MOTION: A motion was made by Councilmember Almquist to approve the request for the General Plan amendment.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye

Councilmember Randall - nay

Councilmember Bowcutt – aye

Councilmember Arial – nay

Mayor Pike – aye

The motion carried.

Councilmember Almquist noted that what was submitted means nothing. When they come back the applicant will have to tow the mark.

PUBLIC HEARING/STREET VACATION/ORDINANCE:

Public hearing to consider vacating 200 East Street between Riverside Drive and 1670 South Street. City of St. George, applicant.

Assistant Public Works Director Wes Jenkins presented the street vacation of 200 East between Riverside Drive and 1670 South Street.

1
2 City Manager Gary Esplin explained that the road does not go all the way to the top.
3 Mr. Carter has access on Riverside Drive and the City and Newby Buick have access
4 at 1670 South.
5

6 City Attorney Shawn Guzman advised Mr. Carter also has access from 270 East.
7

8 City Manager Gary Esplin stated that staff reviewed the property. The suggestion is
9 to split the property between the two owners. There is no evidence that the road was
10 ever sold or abandoned, but it does not show as a road.
11

12 Mayor Pike opened the public hearing.
13

14 Russ Newby, owner of Newby Buick, thought if the road was not going to go all the
15 way through, they would split it in half.
16

17 Mayor Pike closed the public hearing.
18

19 **MOTION:** A motion was made by Councilmember Arial to vacate 200 East
20 between Riverside Drive and 1670 South Street.

21 **SECOND:** The motion was seconded by Councilmember Almquist.
22

23 City Manager Gary Esplin clarified that the motion should be to vacate the road and
24 allow for it to be split 50/50 between the adjacent property owners.
25

26 **AMENDED**

27 **MOTION:** Councilmember Arial amended her motion to include the comments
28 from the City Manager.

29 **SECOND:** The amended motion was seconded by Councilmember Almquist.
30

31 **VOTE:** Mayor Pike called for a roll call vote, as follows:
32

33 Councilmember Almquist – aye

34 Councilmember Randall - aye

35 Councilmember Bowcutt – aye

36 Councilmember Arial – aye
37

38 The vote was unanimous and the motion carried.
39

40 **LETTER OF INTENT/RESOLUTION:**

41 **Consider approval of a resolution accepting the final Letter of Intent from**
42 **the FAA for the new airport.**
43

44 City Manager Gary Esplin explained when the airport was built; the City was to
45 receive five equal installments from the FAA. This is the final payment.
46

47 City Attorney Shawn Guzman advised that the Mayor needs be authorized to sign.
48

49 **MOTION:** A motion was made by Councilmember Bowcutt to approve the
50 resolution accepting the Letter of Intent from the FAA for the new
51 airport and authorize the Mayor to sign.

52 **SECOND:** The motion was seconded by Councilmember Randall.

53 **VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

**ADOPTING THE 2015-2016 PREMILINARY BUDGET/RESOLUTION:
Consider approval of a resolution adopting the 2015-2016 Preliminary Budget.**

City Manager Gary Esplin stated that the department budget meetings will be set up in May and the public hearing for the 2015-2016 budget on June 4th. One public hearing is required. He pointed out that there is \$57,198,766 in the General Fund and the overall recommended budget is \$180,536,730.

MOTION: A motion was made by Councilmember Randall to adopt the 2015-2016 preliminary budget.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

City Manager Gary Esplin stated this has been a perfect storm for Deanna. She has spent countless hours on the budget, including changing the letter to be more informational.

**FEE WAIVER:
Consider approval of a request for a special event fee waiver and a waiver of the insurance requirements to hold the Honoring Veterans Event 3 at Vernon Worthen Park. Robert P. Lehmkuhl, applicant.**

J.R. with the Patriot Guard Riders of Southern Utah explained that this is their third annual event. The fees have been waived for the last two years. Additionally, the insurance is too high for them.

Councilmember Randall commented that they do great things for veterans.

MOTION: A motion was made by Councilmember Randall to approve the fee waiver for the use of Vernon Worthen and waive the insurance requirements for the Honoring Veterans Event 3.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

ROAD CLOSURE:

Consider approval of a request to close the intersection that encompasses Diagonal Street, 600 West and 700 North, as well as, 600 West and 700 North to through traffic for the Rockwell Relay: Moab to St. George event. Anita Stewart, applicant.

Anita Stewart, applicant, stated that this will be their sixth relay. They have reserved Sandtown Park and are requesting to close Diagonal Street at 600 West and 700 North, as well as, 600 West and 700 North to through traffic. Affected residents will be notified several days prior to the event. They expect 700-800 participants throughout the day. This event brings in people from across the country.

MOTION: A motion was made by Councilmember Almquist to approve the close the intersection that encompasses Diagonal Street, 600 West and 700 North, as well as, 600 West and 700 North to through traffic for the Rockwell Relay: Moab to St. George event.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Randall - aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

SPECIAL EVENT/GRAND OPENING:

Consider approval of a request to hold a grand opening event for the Bloc Wakepark at 5536 Desert Canyons Parkway. Darcy Hanks, applicant.

City Manager Gary Esplin advised this request has been reviewed by staff.

Paul Stevenson, representative for the wakepark, outlined the plan and event. They are hoping to open the wakepark on May 30, 2015. He showed an aerial map outlining the site plan. An admission fee of \$10-\$15 will be charged. They project 800-1000 participants at the most. There will be approximately 20 security members. He showed pictures of the staging and barricade, as well as the wakepark.

Mayor Pike asked what the issues are with the health Department.

Shallen Sterner with the Southern Utah Health Department advised that the applicants have not completed the permitting process.

Mrs. Hanks stated that they were told that they need to write a letter stating that they were going to comply with what the health department is asking them do. They want to do a site visit to check that there are no swimming signs at the lakes and flotation devises. A new cable was installed at the beginner lake. When they had a technician come out to look at them, he suggested they be replaced. The water will tested each week. The issues are easy to fix. They are concerned about safety and will comply with all of the issues from the health department.

1
2 City Manager Gary Esplin stated that the health department will need to sign off that
3 the applicants have done everything that was asked of them. Additionally the Fire
4 Department will have to do a final inspection before the park opens.
5

6 **MOTION:** A motion was made by Councilmember Randall too approve the grand
7 opening event for the Bloc Wakepark subject to the Fire Department
8 and Health Department final inspections and approval.

9 **SECOND:** The motion was seconded by Councilmember Almquist.

10 **VOTE:** Mayor Pike called for a vote, as follows:
11

12 Councilmember Almquist – aye

13 Councilmember Randall - aye

14 Councilmember Bowcutt – aye

15 Councilmember Arial – aye
16

17 The vote was unanimous and the motion carried.
18

19 **PURCHASE AGREEMENT:**

20 **Consider approval of a purchase agreement with Roy S. & Dana Muranka to**
21 **purchase City owned property located at 2320 Summit Ridge Drive.**
22

23 City Manager City Manager recommended that the City enter into a purchase
24 agreement with the Muranka's to purchase City property they have encroached on.
25 A check was received for \$1,676.
26

27 **MOTION:** A motion was made by Councilmember Randall to approve the
28 purchase agreement with the Muranka's in the amount of \$1,676 and
29 authorize the Mayor to sign the quit claim deed.

30 **SECOND:** The motion was seconded by Councilmember Bowcutt.

31 **VOTE:** Mayor Pike called for a vote, as follows:
32

33 Councilmember Almquist – aye

34 Councilmember Randall - aye

35 Councilmember Bowcutt – aye

36 Councilmember Arial – aye
37

38 The vote was unanimous and the motion carried.
39

40 **SET PUBLIC HEARINGS:**

41 Planning and Zoning Manager John Willis advised that at its meeting held on April 28,
42 2015, the Planning Commission recommended setting public hearings on May 21,
43 2015 to consider: 1) a zone change request to rezone 20.66 acres from Agricultural
44 to Single Family Residential 8,000 sq. ft. minimum lot size to accommodate a future
45 residential development known as The Arbors generally located in Little Valley, east
46 of 3000 East and north of the logical extension of Crimson Ridge Drive; and 2) a zone
47 change request to rezone 28.802 acres from Highway Commercial and Single Family
48 Residential 10,000 sq. ft. minimum lot size to accommodate the future development
49 of a commercial shopping center proposed to be called Dinosaur Crossing Shopping
50 Center generally located at the northeast corner of Riverside Drive and Mall Drive
51 from Mall Drive to 2200 East Riverside Drive and Riverside Drive to the River.
52

MOTION: A motion was made by Councilmember Almquist to set the public hearings.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Randall – aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Assistant Public Works Director Wes Jenkins presented the preliminary plat for Meadows Edge Phase I, a 3-lot residential subdivision located at 3910 South Bentley Road, zoning is RE-20. There is an existing overhead power line that will need to be relocated. The property lies in the erosion hazard line. Once the erosion hazard study is finished, any recommended mitigation measures will be addressed on the construction drawings.

MOTION: A motion was made by Councilmember Bowcutt to approve the preliminary plat for Meadows Edge Phase I.

SECOND: The motion was seconded by Councilmember Almquist.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Randall – aye

Councilmember Bowcutt – aye

Councilmember Arial – aye

The vote was unanimous and the motion carried.

PRELIMINARY PLAT:

Assistant Public Works Director Wes Jenkins presented the preliminary plat for SunRiver Phases 49-57, a 166-lot residential subdivision located at approximately 4300 South Pioneer Drive. They propose double fronting lots that will require a privacy wall and landscape strip that will be maintained by the HOA. A 6' retaining wall with a 5' masonry wall is proposed between the storage and their units; however, they have to change that to meet City code. There is a 60' pipe that drains. Staff suggests piping that between the two subdivisions along the trail. The applicant would rather dress it up.

City Manager Gary Esplin stated that prior to final plat the Council needs to decide what to do with the drainage.

MOTION: A motion was made by Councilmember Randall to approve the preliminary plat for SunRiver Phases 49-57.

SECOND: The motion was seconded by Councilmember Arial.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye

Councilmember Randall – aye

Councilmember Bowcutt – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

SET A DATE AND TIME FOR AN EMPLOYEE APPEAL HEARING:

City Manager Gary Esplin stated that a personnel action has occurred. The individual would like to set a date and time for an appeal hearing. He recommends setting the date for May 14, 2015 – that will comply with timing and noticing requirements.

MOTION: A motion was made by Councilmember Almquist approved setting the employee hearing from May 14, 2015 at 4:00 p.m.

SECOND: The motion was seconded by Councilmember Randall.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the meeting held on March 5, 2015.

MOTION: A motion was made by Councilmember Almquist to approve the minutes from March 5, 2015.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

MINUTES:

Consider approval of the minutes from the meeting held on March 19, 2015.

MOTION: A motion was made by Councilmember Randall to approve the minutes from March 19, 2015.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Randall - aye
Councilmember Bowcutt – aye
Councilmember Arial – aye

The vote was unanimous and the motion carried.

1 **ADJOURN TO CLOSED MEETING:**

2 **MOTION:** A motion was made by Councilmember Randall to Adjourn to a closed
3 meeting to discuss potential litigation.

4 **SECOND:** The motion was seconded by Councilmember Almquist.

5 **VOTE:** Mayor Pike called for a roll call vote, as follows:

6
7 Councilmember Almquist - aye

8 Councilmember Randall - aye

9 Councilmember Bowcutt - aye

10 Councilmember Arial - aye

11
12 The vote was unanimous and the motion carried.

13
14 The regular meeting reconvened after the closed meeting.

15
16 City Manager Gary Esplin explained that he visited the Electric Theater today. He is
17 concerned about the way it will end up, with nine or ten different rooms. He asked
18 the contractor to give him a number to finish the outside of the offices so that they
19 look consistent. He mentioned that staff has asked for two additional employees;
20 however, he suggested they take two existing employees and move them there.
21 With regards to the rip rap that was asked about tonight, Wadman believed he
22 approved to do the rip rap along the trail. He talked to Wadman about going up the
23 River to protect the park and trail. They have already started the project and have
24 gone to the River. It will cost approximately \$200,000 to finish the project. He
25 proposes to do that now and pay for it out of impact fees from the next project.

26
27 The consensus of the Council is to go ahead and finish the project.

28
29 **ADJOURN:**

30 **MOTION:** A motion was made by Councilmember Randall to adjourn.

31 **SECOND:** The motion was seconded by Councilmember Almquist.

32 **VOTE:** Mayor Pike called for a vote, as follows:

33
34 Councilmember Almquist - aye

35 Councilmember Randall - aye

36 Councilmember Bowcutt - aye

37 Councilmember Arial - aye

38
39 The vote was unanimous and the motion carried.

40
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Christina Fernandez, City Recorder
48

**ST. GEORGE CITY COUNCIL MINUTES
WORK MEETING
MAY 14, 2015, 4:00 P.M.
ADMINISTRATIVE CONFERENCE ROOM**

PRESENT:

Mayor Jon Pike
Councilmember Gil Almquist
Councilmember Jimmie Hughes
Councilmember Michele Randall
Councilmember Joe Bowcutt
City Manager Gary Esplin
City Attorney Shawn Guzman
City Recorder Christina Fernandez

EXCUSED:

Councilmember Bette Arial

OPENING:

Mayor Pike called the meeting to order and welcomed all in attendance. The Pledge of Allegiance to the Flag was led by Dave Demille and the invocation was led by Elisha Christopher Hayden with the Center for Positive Living.

Mayor Pike mentioned the Airport Advisory Board met at the Airport yesterday. Josh Bevans was appointed Board Chair. Additionally he mentioned and thanked everyone involved in the Iron Man event. The Retro Rock Festival took place last weekend and there were almost no problems. The beer garden almost didn't happen because insurance was not in place; however, Legal staff assisted and got everything taken care of. He mentioned additional events that will be taking place in the near future.

Rosalie Spaulding, resident, mentioned the farmers market that will take place on Saturday at Ancestor Square.

Mayor Pike mentioned that Utah was recently ranked 5th for being bike friendly.

SET NEW DATE AND TIME FOR AN EMPLOYEE APPEAL HEARING:

City Manager Gary Esplin advised that an employee appeal hearing was supposed to be heard tonight; however, the employee is asking for documents through his attorney. The suggested date is June 25th.

Mayor Pike stated that the hearing would begin at 4:00 p.m.

MOTION: A motion was made by Councilmember Almquist to reschedule the employee appeal hearing on June 25, 2015 at 4:00 p.m.

SECOND: The motion was seconded by Councilmember Bowcutt.

VOTE: Mayor Pike called for a vote, as follows:

Councilmember Hughes – aye

1 Councilmember Randall – aye
2 Councilmember Bowcutt - aye
3 Councilmember Arial – aye
4

5 The vote was unanimous and the motion carried.
6

7 **DISCUSSION ON THE 2015-2016 FISCAL BUDGET:**

8 City Manager Gary Esplin advised the purpose of the discussion is to have the
9 Department Heads meet with the Council regarding their budgets.
10

11 **FIRE DEPARTMENT:**

12 Fire Chief Robert Stoker explained that their budget increased slightly, most of which
13 is in staffing. He reviewed his staffing numbers and mentioned that they are in the
14 process of accepting applications part time and volunteer staff. He explained recent
15 promotions and mentioned that he, Deputy Fire Chief Taylor and Battalion Chiefs work
16 the day shift. The budget includes a request to add one additional Battalion Chief
17 which will allow the department to operate with one Battalion Chief over each shift.
18 He presented a proposed organization chart. Additionally, he mentioned that they are
19 looking at future fire station sites and provided a map of fire response areas and
20 provided a map of proposed station sites. The materials and supplies budget did not
21 change much this year; fleet maintenance has increased, but emergency management
22 has decreased. That is where the bomb squad was allocated in the past. He
23 requested a new pumper engine is requested in the budget, at a cost of approximately
24 \$800,000. Also included in the proposed budget is station maintenance and
25 driveways.
26

27 City Manager Gary Esplin stated that staff will have to look at purchasing land,
28 building the stations, manning the stations and purchasing the equipment. He
29 explained how a new station will be funded. Staff will return when a suggested site is
30 found. He noted that the City does not own land in the Little Valley area. The new
31 truck requested in the budget will be paid out of the Capital Projects fund.
32

33 **POLICE DEPARTMENT:**

34 Police Chief Marlon Stratton mentioned that City Manager Gary Esplin recommended
35 about everything he requested. One issue is that their fleet has approximately 35
36 cars with 100,000 miles or more. Courtney Stephens and Marc Mortensen will be
37 looking into a lease program for 35 Ford Interceptors. Because fuel and maintenance
38 costs will be reduced with leasing these cars, fleet maintenance costs will be reduced.
39 Over time, calls the officers respond to have been more serious and take more time.
40 Average response time for emergencies is 6 minutes and 42 minutes for other calls.
41 He mentioned staffing numbers in dispatch. The biggest challenge they see in the
42 department is staffing. Recently, an officer who has worked for the department for
43 two years announced that he is quitting and moving to Washington State. They are
44 no longer getting good quality candidates during recruitment. He reviewed the hiring
45 process and training program. Over the last couple of years after completing nine
46 months of training, a handful of new officers decided they cannot do the job and quit.
47 A lot of agencies are having the same problem. These agencies are now offering
48 incentives such as pay increases and lateral transfers so they do not have to invest in
49 the nine months of training. Right now, the department has five officers in training

1 and they have three vacancies that they are recruiting for. The School Resource
2 Officers will be on patrol while school is out for the summer. They need to look at
3 how to retain and bring officers here. Those that are coming into law enforcement
4 now are getting less for retirement than those that came a few years back.
5 Nationally, academies see less interest because of all of the issues in the news.
6

7 City Manager Gary Esplin stated if the City puts officers through the academy, they
8 are committed to stay with the City for two years. Officers are paid the same as other
9 officers in the state. Staff has looked at changing the salary plan to eliminate and
10 narrow cities that the number of cities that are compared to. If other agencies start
11 to pay and give bonuses, the City will have to as well. Although he is recommending
12 two additional officers, he is not recommending allocating any other revenues out of
13 the general fund to fund them.
14

15 Councilmember Bowcutt inquired about seized drug money.
16

17 City Manager Gary Esplin explained that state law limits what the money can be used
18 for.
19

20 Chief Stratton stated that some of that money comes back to the City through the
21 CCJJ grant. The funds are shared with other agencies.
22

23 Councilmember Almquist commented that the VIPS do a tremendous job and take a
24 load off of the full time officers.
25

26 **WATER SERVICES:**

27 Water Services Director Scott Taylor stated that there are not many changes from the
28 previous budget. Although he did not request additional positions, he proposes an
29 Operator IV position in Wastewater Collections, Water Distribution and Irrigation. A
30 number of employees in these divisions have the certification but there is no position.
31 The proposal will not have a huge impact on the budget.
32

33 City Manager Gary Esplin explained that enterprise funds have revenue associated
34 with each fund. Bond ratings have to be protected by making sure they have the debt
35 service coverage. The Water Services Department has always done that. In the past
36 they have always operated leanly; there is a balance this year. Rates are stable right
37 now and staff is not suggesting a rate increase this year.
38

39 Mayor Pike mentioned that he and Mr. Taylor, as well as the Council, have talked
40 about looking at the rate structure. He stated that long term planning may need to be
41 discussed.
42

43 Mr. Taylor mentioned his departments aged infrastructure. He explained that he is in
44 the middle of putting a study together regarding repairs and replacement costs. The
45 proposed budget includes minimal replacements in the downtown area.
46

47 Councilmember Almquist commented that pricing affects conservation.
48

1 City Manager Gary Esplin commented that the Water Conservancy District has a
2 program that assists customers with conserving water. He mentioned that staff be
3 revisiting the build out scenario and will update the inventory of the empty lots
4 throughout the City.
5

6 Mr. Taylor provided an update on the plans due to the new arsenic regulations and
7 mentioned that staff is looking into an arsenic plant. With regard to the Wastewater
8 Treatment Plant, no new positions were requested; but they will be replacing
9 equipment. He outlined their capital projects.
10

11 Councilmember Hughes stepped out.
12

13 Mayor Pike called for a short recess.
14

15 **LEISURE SERVICES:**

16 Leisure Services Director Kent Perkins provided an update on the All Abilities Park and
17 the Electric Theater.
18

19 City Manager Gary Esplin stated that the suggestion is to add extra improvements to
20 the Electric Theater and fund them with RAP tax revenues. The concept is to leave
21 the offices open and let the renters finish the inside as part of their rental agreement.
22

23 Mr. Perkins provided an update on marathon numbers and explained that the
24 proposed budget includes reorganization in the Recreation Division and additional
25 positions in the Parks Division. The biggest challenge in Parks is retaining employees;
26 they have a fair amount of turnover. He provided updates on projects the Parks
27 Planning Division is working on.
28

29 Councilmember Hughes returned.
30

31 City Manager Gary Esplin explained that staff will have to figure out how to deal with
32 long term repairs and maintenance of the pools. Who should cover the costs will have
33 to be determined. He suggests going as long as possible without replacing the cover
34 at Sand Hollow Aquatic Center. There is a need to have a discussion on number of
35 events the City is involved in.
36

37 Mayor Pike mentioned that he and City Manager Gary Esplin had a good conversation
38 with some of the County Commissioners regarding their help with events that benefit
39 the entire county. He asked for an update on bike trails that need to be repaired.
40

41 Mr. Perkins advised that construction is set to begin in Middleton on September 5th.
42 He provided an update on repairs on other trails.
43

44 **SUPPORT SERVICES:**

45 Support Services Marc Mortensen stated that the proposed Technology Services
46 budget does not include a request for additional personnel. Jeremy Garfield will be
47 going to work on the SCADA system; he will be replaced shortly.
48

1 City Manager Gary Esplin explained that the department is trying to hire an additional
2 webmaster position to assist this fiscal year. Staff has to stay on top of the new
3 website.
4

5 Mr. Mortensen provided an update on open positions and projects staff is currently
6 working on. He stated that security is a primary concern. The proposed budget has
7 very minimal capital outlays. He explained that the state of Utah has a contract with
8 Google for imagery; the City will piggy back off them. With regards to Facilities
9 Services, he requested an additional custodian position; however, City Manager Gary
10 Esplin did not recommend funding the position. Instead, they will hire two part time
11 employees. He outlined projects staff is currently working on and mentioned that the
12 department has seen a cost savings by reducing the use of contractors and
13 performing electrical work themselves. The proposed budget includes equipment and
14 new vehicles. He reviewed staffing numbers. With regards to Fleet Management, two
15 new full time positions were requested, one of which was recommended by City
16 Manager Gary Esplin. Their biggest capital outlay is the proposed new facility. The
17 long term proposal is to build a new facility where the Streets Division is now. They
18 do not need additional mechanics at this time, just room. It costs the taxpayer \$84
19 per hour for City staff to do the work; dealerships charge approximately \$150 per
20 hour. Warranty work is covered by the manufacturer; however staff is authorized to
21 perform the work on several car manufacturers. He stated that leasing the police
22 vehicles will not free up staff very much.
23

24 City Manager Gary Esplin explained that leasing the vehicles may delay the need for
25 an additional mechanic.
26

27 Mayor Pike stated that he would like to see staff reconcile a cost benefit analysis for
28 spending the \$2.4 million on a new building. He asked how that relates to
29 outsourcing with a mechanic shop.
30

31 Mr. Mortensen advised that staff looked at that; however, he does not have details
32 tonight. Doing the work in house saves the City approximately \$400,000 per year.
33

34 City Manager Gary Esplin stated that there is a need to build the new facility because
35 a number of vehicles, such as fire trucks and buses cannot be outsourced. The transit
36 request was put on hold because it is not known what is going to happen with Senate
37 Bill 362. He hopes that the estimate for the new facility is higher than the actual cost.
38

39 Mr. Mortensen added that everything built moving forward will be natural gas
40 compliant.
41

42 **REPORT FROM MAYOR, COUNCILMEMBERS AND CITY MANAGER:**

43 No reports were given.
44

45 **ADJOURN TO CLOSED SESSION:**

46 **MOTION:** A motion was made by Councilmember Randall to adjourn to a closed
47 session to discuss property purchases.

48 **SECOND:** The motion was seconded by Councilmember Almquist.

49 **VOTE:** Mayor Pike called for a roll call vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

ADJOURN:

MOTION:

A motion was made by Councilmember Almquist to adjourn.

SECOND:

The motion was seconded by Councilmember Hughes.

VOTE:

Mayor Pike called for a vote, as follows:

Councilmember Almquist – aye
Councilmember Hughes – aye
Councilmember Randall – aye
Councilmember Bowcutt - aye

The vote was unanimous and the motion carried.

Christina Fernandez, City Recorder